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No. 51] NEW DELHI, SATURDAY, DECEMBER 18, 1993/AGRAHAYANA 27, 1915

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (II)
PART II—Section 3—Sub-Section (II)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए संवैधानिक आदेश और अधिसूचनाएँ
Statutory Orders and Notifications issued by the Ministries of the Government
of India (other than the Ministry of Defence)

विधि न्याय और कम्पनी कार्य मंत्रालय
(विधि कार्य विभाग)

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS
(Department of Legal Affairs)

NOTICE

New Delhi, the 1st November, 1993

सूचना

नई दिल्ली, 1 नवम्बर, 1993

का. आ. 2701.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री भानू प्रताप सिंह एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे अलीगढ़ (उत्तर प्रदेश) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

S.O. 2701.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Bhanu Pratap Singh, Advocate for appointment as a Notary to practise in Aligarh (U.P.).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(113)/93-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 1 नवम्बर, 1993

[सं. 5(113) 93-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

का. आ. 2702.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है

(3857)

है कि श्री राम कृष्ण सिंघल, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे मालदा जिला (पश्चिम बंगाल) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(112)/93-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 1st November, 1993

S.O. 2702.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Ram Krishna Singhal, Advocate for appointment as a Notary to practise in Distt of Malda (West Bengal).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(112)/93-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 1 नवम्बर, 1993

का. आ. 2703.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री राजेन्द्र कृष्ण आनन्द, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे जगाधरी, यमुनानगर जिला (हरियाणा) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(114)/93-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 1st November, 1993

S.O. 2703.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules by Shri Rajinder Singh Anand, Advocate for appointment as a Notary to practise in Jagadhari, Distt, Yamunanagar (Haryana).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(114)/93-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 8 नवम्बर, 1993

का. आ. 2704.—नोटरी नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री सुनील कुमार बत्याल, एडवोकेट ने उक्त प्राधिकारी

को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे रोहतक (हरियाणा) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(119)/93-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 8th November, 1993

S.O. 2704.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Sunil Kumar Katyal, Advocate for appointment as a Notary to practise in Rohtak (Haryana).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(119)/93-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 8 नवम्बर, 1993

का. आ. 2705.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री एस. एन. चोपड़ा, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे फगवाड़ा, जिला कपूरथला, (पंजाब) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(120)/93 न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 8th November, 1993

S.O. 2705.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules by Shri S. N. Chopra, Advocate for appointment as a Notary to practise in Phagwara, Distt. Kapurthala (Punjab).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(120)/93-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 9 नवम्बर, 1993

का. आ. 2706.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती

है कि श्री भागीरथ सिंह शेखावत, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे अजमेर (राजस्थान) में व्यवसाय करने के लिए नोटरी के रूप नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(121)/93-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 9th November, 1993

S.O. 2706.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules by Shri Bhagirath Singh Shekhawat Advocate for appointment as a Notary to practise in Ajmer (Rajasthan).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(121)/93-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 11 नवम्बर, 1993

का. आ. 2707.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री चन्द्रशेखर बाबू, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे बंगलौर मिटी में (कर्नाटक राज्य) व्यवसाय करने के लिए नोटरी के रूप नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(123)/93-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 11th November, 1993

S.O. 2707.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules by Shri Chandrashekhar, Advocate for appointment as a Notary to practise in Bangalore City (Karnataka).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(123)/93-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 19 अक्टूबर, 1993

का. आ. 2708.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी

जाती है कि श्री सुभाष चन्द्र चट्टोपाध्याय, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे बंगाब, जिला चौबीस परगना (नार्थ) पश्चिम बंगाल में व्यवसाय करने के लिए नोटरी के रूप नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(69)93-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 19th October, 1993

S.O. 2708.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules by Shri Subhash Chandra Chattopadhyay Advocate for appointment as a Notary to practise in Bongaon, Distt. North 24th Pargana (West Bengal).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(69)/93-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 19 अक्टूबर, 1993

का. आ. 2709.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री किशिन अलीम चन्द गुरबखशानी, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे विले पार्ले वेस्ट, बृहद बम्बई, महाराष्ट्र में व्यवसाय करने के लिए नोटरी के रूप नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(68)/93-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 19th October, 1993

S.O. 2709.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules by Krishna Alunchand Gurubaxani, Advocate for appointment as a Notary to practise in Vile Parle (W) Greater Bombay (Maharashtra).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(68)/93-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 22 अक्टूबर, 1993

का.आ. 2710.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री गोविंद प्रसाद महरोत्रा, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे सीतापुर (उत्तर प्रदेश) में व्यवसाय करने के लिए नोटरी के रूप नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से भेरे पास भेजा जाए।

[सं. 5(73)93-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 22nd October, 1993

S.O. 2710.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules by Shri Govind Prasad Mehrotra Advocate for appointment as a Notary to practise in Sitapur (U.P.).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(73)/93-Judl.]

P. C. KANNAN, Competent Authority

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 1 दिसम्बर, 1993

का.आ. 2711.—केन्द्रीय सरकार दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उप धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री एस. सी. अंगरीस, अधिवक्ता, दिल्ली को मामला आर.सी. 3/84 एस.आई.यू.-3/सी.बी.आई./एस.आई.सी.-2/एस.पी.ई. जो विरमा सिंह एवं अन्य के विरुद्ध है, जो सेशन न्यायालय/दिल्ली विचारण न्यायालय में लंबित है और दिल्ली संघ राज्य क्षेत्र में विधि द्वारा स्थापित पुनरीक्षण या अपील न्यायालयों में उसी मामले से उद्भूत अपीलों, पुनरीक्षण आवेदनों या अन्य मामलों के अभियोजन के लिए विशेष लोक अभियोजक नियुक्त करती है।

[संख्या—225/10/93-ए.वी.डी. II]

आर.एस. बिष्ट, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 1st December, 1993

S.O. 2711.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby

appoints Shri S. C. Angrish, Advocate, Delhi as Special Public Prosecutor for conducting the prosecution of the case being RC 3/84-SIU. III/CBI/SIC, II/SPE instituted by the Delhi Special Police Establishment against Shri Virma Singh and others, pending in Sessions Court/Trial Court, Delhi and appeals, revisions or other matters arising out of the same case in revisional or appellate courts established by the law in Union Territory of Delhi.

[No. 225/10/93-AVD.II]

R. S. BISHT, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 6 सितम्बर, 1993

(आयकर)

का.आ. 2712.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “राजा चरिटी ट्रस्ट, राजा पलायम, तमिलनाडु” को कर-निर्धारण वर्ष 1993-94 से 1995-96 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (1) कर-निर्धारित इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (2) कर-निर्धारित पर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा II की उप धारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जबर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक भ्रंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (3) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारित के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9361/फा.मं. 197/117/93-आयकर नि-1]

शरत चन्द्र, अवर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 6th September, 1993

(INCOME-TAX)

S.O. 2712.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Raja Charity Trust, Raja Palaiyam, Tamil Nadu" for the purpose of the said sub-clause for the assessment years 1993-94 to 1995-96 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains or business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9361/F. No. 197/117/93-ITA-I]

SHARAT CHANDRA, Under Secy.

नई दिल्ली, 13 अक्टूबर, 1993

आयकर

का.आ. 2713.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "राजा चेरिटी ट्रस्ट, राजापलायम, तमिलनाडु" को कर-निर्धारण वर्ष 1990-91 से 1992-93 तक के लिए निम्नलिखित शर्तों के अध्वधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (1) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (2) कर-निर्धारिती उपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात फर्नीचर आदि के रूप में प्राप्त तथा रखरखाव में स्वेच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (3) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति

के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखापुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9388/फा.स. 197/117/93-आ.कर नि-1]

शरत चन्द्र, अवर सचिव

New Delhi, the 13th October, 1993

(INCOME-TAX)

S.O. 2713.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Raja Charity Trust, Raja Palaiyam, Tamil Nadu" for the purpose of the said sub-clause for the assessment years 1990-91 to 1992-93 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains or business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9388/F. No. 197/117/93-ITA-I]

SHARAT CHANDRA, Under Secy.

नई दिल्ली, 13 अक्टूबर, 1993

आयकर

का.आ. 2714.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "बीरायतन राजगिर, जिला नालन्दा, बिहार" को कर निर्धारण वर्ष 1990-91 से 1992-93 तक के लिए निम्नलिखित शर्तों के अध्वधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (1) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (2) कर-निर्धारिती उपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा

रखरखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

- (3) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर निर्धारित के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना स. 9389/फा.स. 197/119/93-आ.कर-1]

शरत चन्द्र, अवर सचिव

New Delhi, the 13th October, 1993

(INCOME TAX)

S.O. 2714.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Vecrayatan, Rajgir, Dist. Nalanda, Bihar" for the purpose of the said sub-clause for the assessment years 1990-91 to 1992-93 subject to the following conditions, namely:—

- (i) the assessee will apply its income or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9389/F No. 197/119/93-ITA-I]

SHARAT CHANDRA, Under Secy.

आर्थिक कार्य विभाग

(बैंकिंग प्रभाग)

नई दिल्ली, 26 नवम्बर, 1993

का.आ. 2715.—राष्ट्रीय कृषि और ग्रामीण विकास बैंक अधिनियम, 1981 की धारा 6 की उपधारा (1) के खंड (इ) के अनुसरण में, केन्द्रीय सरकार, एतद्वारा, सचिव, ग्रामीण विकास मंत्रालय, नई दिल्ली को राष्ट्रीय कृषि और ग्रामीण विकास बैंक के निदेशक के रूप में नियुक्त करती है।

[संख्या एफ 7/4/90-बी.ओ. 1(i)]

एम.एस. सीतारामन, अवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 26th November, 1993

S.O. 2715.—In pursuance of clause (e) of sub-section (1) of Section 6 of the National Bank for Agriculture and

Rural Development Act, 1981, the Central Government hereby appoints Secretary, Ministry of Rural Development, New Delhi as Director of National Bank for Agriculture and Rural Development.

[No. 7/4/90-B.O. I(i)]

M. S. SEETHARAMAN, Under Secy.

नई दिल्ली, 26 नवम्बर, 1993

का.आ. 2716.—राष्ट्रीय कृषि और ग्रामीण विकास बैंक अधिनियम, 1981 की धारा 6 की उपधारा (1) के खंड (इ) के अनुसरण में केन्द्रीय सरकार, एतद्वारा, सचिव (कृषि और सहकारिता) कृषि मंत्रालय, कृषि तथा सहकारिता विभाग, नई दिल्ली को राष्ट्रीय कृषि और ग्रामीण विकास बैंक के निदेशक के रूप में नियुक्त करती है।

[संख्या एफ 7/4/90-बी ओ 1 (ii)]

एम.एस. सीतारामन, अवर सचिव

New Delhi, the 26th November, 1993

S.O. 2716.—In pursuance of clause (e) of sub-section (1) of Section 6 of the National Bank for Agriculture and Rural Development Act, 1981, the Central Government hereby appoints Secretary (Agriculture and Cooperation), Ministry of Agriculture, Department of Agriculture and Co-operation, New Delhi as Director of National Bank for Agriculture and Rural Development.

[No. 7/4/90-B.O. I(ii)]

M. S. SEETHARAMAN, Under Secy.

जल संसाधन मंत्रालय

[फरक्का बहुउद्देशीय परियोजना (चरण II)]

फरक्का, 30 अगस्त, 1993

विद्युत (आपूर्ति) अधिनियम, 1948 (संशोधित अनुसार) की धारा 29 के अधीन योजना की विज्ञप्ति

का.आ. 2717.—फरक्का बहुउद्देशीय परियोजना (चरण 2) जिसका प्रधान कार्यालय मुर्शिदाबाद जिला अन्तर्गत, पश्चिम बंगाल में है, भारत सरकार के जल संसाधन मंत्रालय के अधीन एक केन्द्र सरकार का संगठन है। संगठन विद्युत उत्पादन के लिए निम्नांकित योजना का प्रस्ताव करता है।

योजना का नाम :

पश्चिम बंगाल के मालदा जिला अन्तर्गत फरक्का में उसके बाये किनारे वर्तमान बैरेज के गंगा नदी के निम्नधारा पर प्रत्येक 25 मेगा वाट की 5 यूनिट के साथ 125 मेगा वाट की स्थापित क्षमता के साथ एक जल विद्युत परियोजना का निर्माण।

स्थान :

प्रस्तावित जल विद्युत केन्द्र, पश्चिम बंगाल के माल्दा जिले में फरक्का बैरेज के निम्नाधार पर गंगा नदी में बायें तरफ बिल्कुल नदी पेटा में अवस्थित है। यह स्थान फरक्का रेलवे स्टेशन से पूर्व की तरफ लगभग 3.5 कि.मी. तथा चमाग्राम रेलवे स्टेशन से पश्चिम की ओर 2.0 कि.मी. पूर्व रेलवे (फरक्का-माल्दा बो.जी. लाईन) अवस्थित है। यह स्थान राष्ट्रीय राजमार्ग 34 के बगल में भी है।

योजना की प्रमुख विशेषताएँ :

योजना की प्रमुख विशेषताएँ निम्नानुसार हैं :—
प्रस्ताव :

परियोजना में वर्तमान फरक्का बैरेज के बे न. 104 से 109 तक नदी पेटा में 125 मेगा वाट (5 वल्व युनिट आफ 25 मेगा वाट प्रत्येक) स्थापित धमता के साथ एक पावर हाउस का निर्माण सन्निहित है। कार्य निम्नवर्णित हैं :—

—पावर हाउस बिज्जिंग 5 युनिट बेज के साथ फरक्का बैरेज प्रत्येक में ट्वेंस रेक अरेंजमेंट, एक सर्विस वे तथा एक अनलोडिंग वे, साथ में बायें किनारे से एप्रोच रोड, 6 स्पील वेज के वर्तमान मुख्य द्वार के बगले एच.एफ.एल. सुरतों के लिए नया गेट बनाया जायेगा। इसी प्रकार स्लीवे बे का स्थापना गेट एच.एफ.एल. सुरतों के लिए संशोधित/मजबूत किया जायेगा।

—ड्राफ्ट ट्यूब गेट स्ट्रक्चर को पहुँच के लिए ड्राफ्ट ट्यूब गेट तथा एप्रोच रिज का प्रावधान किया जायेगा।

—नदी घुमाव कार्य।

—5 अद्वि बल्व टाइप जेनेरेटिंग यूनिट की स्थापना, जो कि 3.3 एम + 1 एम (डिजाइन हेड आफ 6.4 एम) तक परिचालित होगी तथा डिजाइन डिस्चार्ज 460 क्यूमेक होगी।

—फरक्का जल विद्युत परियोजना (5 × 25 मेगा वाट) में उत्पादित विद्युत के लिए निम्नांकित प्रसारण व्यवस्था का प्रस्ताव है।

—समस्त पांचों इकाइयों के उत्पादन को 132 के वी तक बढ़ाया जायेगा और 132 के वी डबल सर्किट ट्रांसमिशन लाइन के जरिये फरक्का बैरेज से डब्ल्यू बी एस ई वी के वर्तमान बेजुरिया सब-स्टेशन तक प्रसारित किया जायेगा।

—विद्युत केन्द्र नवम्बर से जून तक गैर-मानसून महीनों के दौरान क्रियाशील होगा, जबकि पर्याप्त हेड उपलब्ध होगा।

क्रियान्वयन :

कार्यारम्भ के 4-1/2 वर्षों के बाद विद्युत केन्द्र के क्रियान्वयन की प्रस्तावना है।

आंकलित लागत :

पारयोजना की आंकलित लागत सितम्बर, 1993 मूल्य स्तर पर रु. 601.59 करोड़ है।

लाभ :

वार्षिक ऊर्जा उत्पादन 589.21 जी आई ओ एच 90 प्र. निर्भर योग्य वर्ष में उपलब्ध होगा। सितम्बर, 1991 मूल्य स्तर पर आगान्वित ऊर्जा उत्पादन की लागत लगभग 1.32 प्रति के डब्ल्यू एच होगी और ऊर्जा की विक्रीकर रु. 1.85 प्रति के डब्ल्यू एच होगी। अनुमानित वार्षिक राजस्व लगभग 100.0 करोड़ होगा जो कि रु. 1.85 प्रति के डब्ल्यू एच ऊर्जा विक्रीकर पर आधारित होगा।

विद्युत (आपूर्ति) अधिनियम, 1948 के प्रावधान के तहत फरक्का बहुउद्देशीय परियोजना (चरण-II) उपरोक्त योजना के उद्देश्य में उपरोक्त अधिनियम के अधीन उत्पादन संगठन के बतौर समस्त शक्तियों का उपयोग करेगा। एतद्-द्वारा और भी अधिसूचित किया जाता कि विद्युत (आपूर्ति) अधिनियम, 1948 यथा संशोधित की धारा 29 को शर्तों के तहत फरक्का बहुउद्देशीय परियोजना (चरण-II) अधिकरण मंजूर योजना का भार एवं क्रियान्वयन करेगा और विद्युत प्रसार एवं वितरण के लिए कोई तार, खम्भा, बाल ब्रेकेट, स्टेज, एपारटस तथा एल्लोयन्सेज रखने अथवा तार अथवा टेलीफोन संवाद के संचारण के लिए जो कि उपरोक्त क्षेत्र में उत्पादन केन्द्र के कार्यों के समुचित समन्वय के लिए आवश्यक होगा अपने में निहित करने का अधिकारी होगा, जैसा कि सरकार द्वारा स्थापित अथवा रखरखाव किये जाने अथवा स्थापित किये जाने वाले अथवा रखरखाव किये जाने के संबंध में टेलीग्राफ अधिकरण द्वारा टेलीग्राफ एक्ट, 1985 के पार्ट-III अथवा टेलीग्राफ अधिकरण शक्ति सम्पन्न है और इंडियन इलेक्ट्रिसिटी एक्ट, 1910 की धारा 12 से 16, 18 तथा 19 के प्रावधान इस संबंध में लागू नहीं होंगे।

विद्युत (आपूर्ति) अधिनियम, 1948 की धारा 28 में सन्निहित प्रावधानों के तहत उपरोक्त योजना एतद्द्वारा ग्राम जनता के लिए सरकारी गजट तथा प्रमुख स्थानीय समाचार पत्रों में प्रकाशित कर सूचित की जा रहा है।

[सं. 15/3/88/जी बी-एफ. बी पी.]

आर. एन. सिन्हा, महा प्रबन्धक

MINISTRY OF WATER RESOURCES

[Farrakka Multi-Purpose Project (Phase-II)]

Farrakka, the 30th August, 1993

NOTIFICATION OF THE SCHEME UNDER SECTION 29 OF ELECTRICITY (SUPPLY) ACT, 1948 (As amended)

S.O. 2717.—Farrakka Multi-purpose Project (Phase-II) having its main office in Murshidabad district in West Bengal State, is a Central Government Organisation under Ministry of Water Resources, Government of India. The Organisation proposes the following scheme for power generation.

NAME OF SCHEME

Construction of one Hydel Power Project with an installed capacity of 125 MW with 5 units of 25 MW each on the river Ganga downstream of the existing Barrage at Farrakka on its left bank side in Malda district of West Bengal.

LOCATION

The site of the proposed Hydel Power Station is situated within the river bed just below the left bank of the river Ganga on the downstream side of Farakka Barrage in Malda district of West Bengal. The location is situated about 3.5 km. from New Farakka Railway Station towards east and 2.0 km. from Chamagram Railway Station towards west on the Eastern Railway (Farakka-Malda B.G. line). The site is also situated by the side of National Highway-34.

SALIENT FEATURES OF THE SCHEME

The salient features of the scheme are given below :

PROPOSAL

The Project envisages construction of a Power House with installed capacity of 125 MW (5 bulb units of 25MW each) in the river bed in the bays No. 104 to 109 of the existing Farakka Barrage. The works are described below :—

- Power House building consisting of 5 units bays of Farakka Barrage each provided with fresh rack arrangement, a service bay and on unloading bay with an approach road from the left bank. The existing main gates of the 6 spillways would be replaced with new gates designed for HFL condition. Similarly, the stoplog gates of spillway bays would be modified/strengthened for HFL condition.
- Draft tube gates and an approach bridge would be provided for access to the draft tube gate structure.
- River diversion work.
- Installation of 5 No. bulb type generating units. Operating under head varying from 3.3m+1m (design head of 6.4m) and design discharge of 460 Cumec.

The following transmission arrangement is proposed for evacuation of power to be generated at Farakka Hydel Power Project (5×25 MW).

The output of all the five units to be stepped up to 132 KV and transmitted through a 132 KV double circuit transmission line from Farakka Barrage to the existing Khejuria Sub-station of WBSEB.

The power station will be operative during non-monsoon months from November to June when sufficient head will be available.

COMMISSIONING

The Power Station is proposed to be commissioned after 4-1/2 years of the start of the work.

ESTIMATED COST

The estimated cost of the project is Rs. 601.09 crores at September, 1991 price level

BENEFIT

The annual energy generation of 589.21 GIOH would be available in a 90 per cent dependable year. The anticipated cost of energy generation on the September, 1991 price level is about 1.32 per KWH and sale rate of energy will be about Rs. 1.85 per KWH. The anticipated annual revenue will be about Rs. 100.0 crores based on the sale rate of energy of Rs 1.85 per KWH.

In pursuance of the provision of the Electricity (Supply) Act, 1948, Farakka Multi-purpose Project (Phase-II) shall exercise all powers vested in a generating organisation under the said Act for the purpose of aforesaid scheme. It is also hereby notified that in terms of Section 29 of the Electricity (Supply) Act, 1948 as amended, Farakka Multi-purpose Project (Phase-II) Authority shall undertake and execute the sanctioned scheme and shall have all the powers for the placing of any wires, poles, wall brackets, stays, apparatus and appliances for the transmission and distribution of electricity or for transmission of telegraphic or telephone communications necessary to proper co-ordination of the works of the generating station for the area indicated above which the Telegraphs authority possess under Part-III of the Telegraphs Act, 1985 in respect of telegraphs established or maintained by the Government or to be established or maintained and the provisions of sections 12 to 16, 18 and 19 of Indian Electricity Act, 1991 shall not apply to the same.

In terms of the provisions contained in Section 28 of the Electricity (Supply) Act, 1948, the aforesaid scheme is hereby notified to the general public by publication in the Official Gazette and leading local daily.

[No. 15/3/88-GB-FBP]

R. N. SINHA, General Manager

पेट्रोलियम और कैमीकल्स मंत्रालय**(प्राकृतिक गैस विभाग)**

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2718.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमीकल्स मंत्रालय, प्राकृतिक गैस विभाग की भारत सरकार के दिनांक 27-3-93 के राजपत्र में प्रकाशित हुई अधिसूचना का. आ. 649 दिनांक 10-3-93 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइन बिछाने के प्रयोजन का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा (6) की उपधारा (1) अधीन सरकार को अपनी रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा (6) की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा (6) की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, केन्द्रीय सरकार यह निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लि. गैस विनिर्माण, 16 भिकाजी कामा प्लेस, आर के पुरम, रिंग रोड, नई दिल्ली 110066 में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

राज्य : महाराष्ट्र

जिला : रायगढ़

तहसील : मुरुद जंजीरा

ग्राम	सर्वे क्रमांक	हिस्सा क्रमांक	क्षेत्र		
			हेक्टर	आर.	गै. आर.
सालाव	66	1-ए पार्ट	0	45	40
	80	0 पार्ट	0	07	50
	8	0 पार्ट	0	08	30

[सं. एल.—14016/9/93—जी. पी.]

अर्धेन्दु सेन, निदेशक

MINISTRY OF PETROLEUM AND CHEMICALS

(Department of Petroleum and Natural Gas)

New Delhi, the 6th December, 1993

S.O. 2718.—Whereas by Notification of the Govt. of India in the Ministry of Petroleum and Natural Gas, S.O. No. 649, dated 10-3-1993 Gazette dated 27-3-1993 page No. 1023 under Sub-Section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962) the Central Govt. declare its intention to acquire the Right of User in lands specified in the schedule appended to that Notification for the purpose of laying Gas pipeline.

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Govt. of India,

And further whereas the Central Govt. has after considering the said report decided to acquire the Right of user in the lands in the schedule appended to this Notification,

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6, of the said Act, the Central Govt. hereby declares that the Right of User in the said land specified in the schedule appended to this Notification hereby acquired for laying Gas pipeline,

And further in exercise of power conferred by Sub-Section (4) of the Section 6, the Central Govt. directs the Right of user in the said lands shall instead of vesting in Central Govt. it vests on this date of the publication of this declaration in the Gas Authority of India Ltd, GAIL Building, 16 Bhikaji Cama Place, R. K. Puram, Ring Road, New Delhi-110066 free from all encumbrances.

SCHEDULE

State : Maharashtra District : Raigad Tahasil : Murud Janjira

Village	Survey Number	Hissa Number	Gat Number	Area	
				Hector	Are C. Are
Salav	66	1-A Part		0	45 40
	80	0 Part	—	0	07 50
	8	0 Part	—	0	08 30

[No. L-14016/9/93 G.P.]

ARDHENDU SEN, Director.

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2719.—यतः पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और फ़ैमीकल्स मंत्रालय, प्राकृतिक गैस विभाग की भारत सरकार के दिनांक 27-3-93 के राजपत्र में प्रकाशित हुई अधिसूचना का. आ. 648 दिनांक 10-3-93 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाईप लाईन विद्याने के प्रयोजन का अपना आशय घोषित कर दिया था।

और यतः महत्त्व प्राधिकारी ने उक्त अधिनियम की धारा (6) की उपधारा (1) के अधीन सरकार को अपना रिपोर्ट दिया है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करते के परबान् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा (6) की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन विछाने के प्रयोजन के लिए एतद्वारा अजित किया जाता है।

और आगे इस धारा (6) की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार यह निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लि. गेल बिल्डिंग, 16 भीमराजी कामा प्लेस, आर के पुरम, रिग रोड, नई दिल्ली-110 066 में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

नदी नाला क्रीक आदि की अधिसूचना

परिशिष्ट

राज्य : महाराष्ट्र

जिला : रायगढ़

तहसील : अलिबाग

ग्राम	सर्वे क्र.	हिस्सा क्र.	गट क्र.	क्षेत्र		रिमार्कस्
				हेक्टर	आर.	सं. आर.
वरसोली	—	—	—	0	06	83 खडताल ब्रीज नजीक
बेशवी	—	—	—	0	01	00 गटार
	—	—	—	0	01	06 नाला
कुचल	—	—	—	0	00	65 नाला
बेलकडे	—	—	—	0	01	07 नाला
	—	—	—	0	02	14 नाला
ठवर	—	—	—	0	01	13 नाला
सहाण	—	—	—	0	01	66 नाला
कावीर	2	0 पार्ट	—	0	01	20 नदीनाला
बामणगाव	—	—	427 पार्ट	0	02	60 नाला
	—	—	—	0	00	90 नाला
वडावबुधुक	—	—	—	0	01	40 नाला
उसर	—	—	—	0	00	85 नाला
धेवधर	—	—	—	0	02	41 नदीनाला
	—	—	—	0	02	48 नदीनाला
	—	—	—	0	03	23 नदीनाला
	—	—	—	0	02	37 नदीनाला
	—	—	—	0	00	85 नदीनाला
	—	—	—	0	00	94 नदीनाला
	—	—	—	0	00	80 नदीनाला
	—	—	—	0	00	85 नदीनाला
रेवदंडा	—	—	—	1	60	00 कुंडली का नदी रेवदंडा क्रीक

[सं. एल.—14016/9/93—जी. पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 6th December, 1993

user in the lands in the schedule appended to this Notification,

S.O. 2719.—Whereas by Notification of the Govt. of India in the Ministry of Petroleum & Natural Gas, S.O. No. 648, dated 10-3-1993 Gazette dated 27-3-1993, page No. 1021, 1022 under Sub-Section (1) of Section 3 of the Petroleum & Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962) the Central Govt. declared its intention to acquire the Right of user in lands specified in the schedule appended to that notification for the purpose of laying Gas pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government of India.

And further whereas the Central Government has, after considering the said report decided to acquire the Right of

Now, therefore, in exercise of the power conferred by Sub-Section (1) of Section 6, of the said Act, the Central Govt. hereby declares that the Right of User in the said lands specified in the schedule appended to this Notification hereby acquired for laying Gas pipeline,

And further in exercise of power conferred by Sub-Section (4) of the Section 6, the Central Govt. directs the Right of user in the said lands shall instead of vesting in Central Govt. it vests on this date of the publication of this declaration in the Gas Authority of India Ltd. GAIL Building, 16 Bhikaji Cama Place, R. K. Puram, Ring Road, New Delhi-110066 free from all encumbrances.

Notification of River, Nalas, Bridge, Creek etc.

SCHEDULE

State : Maharashtra District - Raigad Tahsil : Alibag

Village	Survey Number	Hissa Number	Gat Number	Area			Remarks
				H	Are	C. Are	
Varsoli	---	---	---	0	06	83	Near Khatedal River Bridge
Veshvi	---	---	---	0	01	00	Gatar
				0	01	06	Nala
Kurul	---	---	---	0	00	65	Nala
Belkade	---	---	---	0	01	07	Nala
				0	02	14	Nala
Dhavar	---	---	---	0	01	13	Nala
Sahan	---	---	---	0	01	66	Nala
Kavir	2	0 Part	---	0	01	20	River Nala
Bamangaon	---	---	427	0	02	60	Nala
				0	00	90	Nala
Vadhav	---	---	---	0	01	40	Nala
Budrub	---	---	---				
Usar	---	---	---	0	00	85	Nala
Deogahr	---	---	---	0	02	41	River Nala
				0	02	48	River Nala
				0	03	23	River Nala
				0	02	37	River Nala
				0	00	85	River Nala
				0	00	94	River Nala
				0	00	80	River Nala
				0	00	85	River Nala
				1	60	00	Kundalika River
							Revdanda creek
Revdanda	---	---	---				

[No. L-14016/9/93-GP]
ARDHENDU SEN, Director

नई दिल्ली, 6 दिसम्बर, 1993

का. आ. 2720.—यतः पेट्रोलियम और खनिज पाईपलाइन (भूमि में उपयोग के अधिकार का अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कौमीकल्स मंत्रालय, प्राकृतिक गैस विभाग की भारत सरकार के दिनांक 27-3-93 के राजपत्र में प्रकाशित हुई अधिसूचना का. आ. 647 दिनांक 10-3-93 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाईपलाइन बिछाने के प्रयोजन का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा (6) की उपधारा (1) के अधीन सरकार को अपनी रिपोर्टें बं दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा (6) की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा (6) की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार यह निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथारिटी आफ इंडिया लि. गैस बिल्डिंग 16, भीकाजी कामा प्लेन थ्रार. के. पुरम, रिंग रोड, नई दिल्ली-110066 में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

सरकारी जमीन की अधिसूचना

परिशिष्ट

राज्य : महाराष्ट्र

जिला : रायगढ़

तहसील : अलीबाग

ग्राम	सर्वे क्रमांक	हिस्सा क्र.	गट क्र.	क्षेत्र		
				हेक्टर	आर.	सेंटी आर.
गुजिस	47	0 पार्ट	—	0	11	73
	44	1 पार्ट	—	0	19	34
	44	2 पार्ट	—	0	19	34
क्षोणारे	13-ए	5-ए पार्ट	—	0	00	75
	13-ए	8 पार्ट	—	0	02	41
वरसोली	297	0 पार्ट	—	0	03	09
बामणोली	5-ए	1-ए-1-ए पार्ट	—	0	04	14
वैरबी	200	0 पार्ट	—	0	05	50
	6	0 पार्ट	—	0	01	40
कुखल	126-ए	1 पार्ट	—	0	07	94
	113	0 पार्ट	—	0	14	29
	126-ए	1 पार्ट	—	0	25	00
	126-ए	1 पार्ट	—	0	07	44
	126-ए	1 पार्ट	—	0	21	20
	126-ए	1 पार्ट	—	0	08	50
	121	0 पार्ट	—	0	11	25
	120	0 पार्ट	—	0	01	52
	119	0 पार्ट	—	0	05	64
बैलकडे	381	0 पार्ट	—	0	03	23
	441	0 पार्ट	—	0	36	94
	502	0 पार्ट	—	0	08	57
सहाण	379	0 पार्ट	—	0	01	60
कावीर	210	0 पार्ट	—	0	03	23
	12	0 पार्ट	—	0	10	43
	173	0 पार्ट	—	0	00	44
डवण	—	—	393 पार्ट	0	05	69
	—	—	302 पार्ट	0	08	18
चील	—	—	2715-ए पार्ट	0	12	00
	—	—	2715-बी पार्ट	0	64	00

[सं. एल.-14016/9/93-जी. पी.]

अर्थोन्तु सेन, निदेशक

New Delhi, the 6th December, 1993

S.O. 2720.—Whereas by Notification of the Government of India in the Ministry of Petroleum and Natural Gas, S.O. No. 647, dated 10-3-1993 Gazette dated 27-3-1993 page No. 1019, 1020 under Sub-Section (1) of Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of user in the land) Act 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in lands specified in the schedule appended to that Notification for the purpose of laying Gas pipeline,

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government of India,

And further whereas the Central Govt. has, after considering the said report decided to acquire the Right of user in the lands in the schedule appended to this Notification;

Now, therefore, in exercise of the power conferred by Sub-Section (1) of Section 6, of the said Act, the Central Govt. hereby declares that the Right of User in the said lands specified in the schedule appended to this Notification hereby acquired for laying Gas pipeline;

And further in exercise of power conferred by Sub-Section (4) of the Section 6, the Central Govt. directs that the Right of user in the said lands shall instead of vesting in Central Govt. it vests on this date of the publication of this declaration in the Gas Authority of India Ltd. GAIL Building, 16 Bhikaji Cama Place, R. K. Puram, Ring Road, New Delhi-110066 free from all encumbrances.

[No. L-14016/9/93 G.P.]
ARDHENDU SEN, Director

Notification of Government Land

SCHEDULE

State : Maharashtra		District : Raigad		Tahasil : Alibag		
Village	Survey Number	Hissa Number	Block Number	Area		
				H.	Ac	C. Ac
Gunjis	47	0 Part	—	0	11	73
	44	1 Part	—	0	19	34
	44	2 Part	—			
Lonare	13-A	5-A Part	—	0	00	75
	13-A	8Part	—	0	02	41
Varsoli	297	0 Part	—	0	03	90
Bamnoli	5-A	1-A-1-A Part	—	0	04	14
Veshvi	200	0 Part	—	0	05	30
	6	0 Part	—	0	01	40
Kurul	126-A	1 Part	—	0	07	94
	113	0 Part	—	0	14	29
	126-A	1 Part	—	0	25	00
	126-A	1 Part	—	0	07	44
	126-A	1 Part	—	0	21	20
	126-A	1 Part	—	0	08	50
	121	0 Part	—	0	11	25
	120	0 Part	—	0	01	52
Belkade	119	0 Part	—	0	05	64
	381	0 Part	—	0	03	23
	441	0 Part	—	0	36	94
Sahan	502	0 Part	—	0	08	57
	379	0 Part	—	0	01	60
Kavir	210	0 Part	—	0	03	23
	12	0 Part	—	0	10	43
	173	0 Part	—	0	00	44
Dhavar			393 Part	0	05	69
			302 Part	0	08	18
Choul			2715-A Part	0	12	00
			2715-B Part	0	65	00

सूचिका

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2721—भारत सरकार के राजपत्र भाग-II, खण्ड 3, उपखण्ड ii में प्रकाशित हुई कानून 0(1) की नीचे दिये हुए अधिवृत्तियों में नीचे दिए हुए तालीके अनुसार पढ़िए :—

स.न.	ग्राम	राजपत्र दिनांक	क.आ. क्रमांक और दिनांक	पक्षों का क्रमांक	के स्थान पर							
					पक्षों का क्रमांक			क्षेत्र				
					क्षेत्र	आर.	सेक्टर.	क्षेत्र	आर.	सेक्टर.	क्षेत्र	आर.
1. बोरीस	9-3-1991		का.आ. 699	1170	13/1	0	01	40	13/1	0	01	20
			25-2-91	1171	101/2-ए	0	03	60	101/2-ए	0	02	03
2. तुदाल	15-6-1991		का.आ. 1707	2587	4/1	0	12	40	34/2	0	13	74
			30-5-91	2588	34/2	0	01	34				
3. कावीर	15-6-1991		का.आ. 1708	2589								
			30-5-91	2590	228	0	19	17	228	0	16	17

[सं. एल-14016/9/93/जी पी]

अर्धेन्दु सेन, निदेशक

CORRIGENDUM

New Delhi, the 6th December, 1993

S.O. 2721 : The partial modification to the notifications published under Section 6(1) of Petroleum and Minerals pipelines Act 1962 in the Govt. of India' Gazette, Part-II Section 3 Sub-Section-ii as shown below be read as per following table.

Sl. Village No.	Gazette Date	S.O.No. & Date	Page No.	Read			In place of					
				S.No.	Area			S.No.	Area			
					H.	Are	C.R.		H	Are	CR	
(1) Boris	9/3/1991	S.O. 699	1170	13/1	0	01	40	13/1	0	01	20	
		25-2-91	1171	101/2-A	0	03	60	101/2-A	0	02	03	
(2) Tudal	15/6/1991	S.O. 1707	2587	4/1	0	12	40	34/2	0	13	74	
		30-5-1991	2588	34/2	0	01	34					
(3) Kavir	15/6/1991	S.O. 1708	2589	228	0	19	17	228	0	16	17	
		30-5-1991	2590									

[No. L-14016/9/93/GP]

ARDHENDU SEN, Director

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2722.—यतः पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और केमिकल्स मंत्रालय प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1552 दिनांक 1-6-1992 राजपत्र दिनांक 13-6-1992 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाईप लाईन को बिछाने के प्रयोजन के लिये जपता आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को अपनी रिपोर्ट दे दिया है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अथ अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा 6 की उपधारा 4 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड (भारत सरकार का उपक्रम) गैल बिल्डिंग 16 भोकाजी कामा प्लेस, आर के पुरम, रिंग रोड, नई दिल्ली-110066 में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

परिणित

राज्य : महाराष्ट्र

जिला : रायगढ़

तहसील : अलिबाग

गांव का नाम	सर्वे नम्बर	हिस्सा नम्बर	गट नम्बर	क्षेत्र		
				हेक्टर	आर	से.आर
देवघर	---	---	314 भाग	0	09	50
	---	---	305 भाग	0	02	30

[सं. एन-14016/9/93-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 6th December, 1993

S.O. 2722.—Whereas by Notification of Govt. of India, Ministry of Petroleum & Natural Gas, S.O. 1552, dated 1-6-92, published in the Govt. of India's Gazette dated 13-6-1992 under Section 3, Sub-section 1 of the Petroleum & Minerals pipe lines (Acquisition of Right of user in land) Act, 1962 (50 of 1962), the Central Govt. declares its intention to acquire the Right of User in the land specified in the schedule appended to that Notification for the purpose of laying Gas pipeline.

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Govt. has, after considering the said report decided to acquire the Right of User in the land specified in the schedule appended to this Notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the Right of User in the said lands specified in the schedule appended to the Notification hereby acquired for laying the Gas pipe line;

And further in exercise of the power conferred by Sub-section (4) of the Section 6, the Central Govt. directs that the Right of user in the said lands shall instead of vesting in Central Govt. it vests on the date of the publication of this declaration in the Gas Authority of India Ltd. (A Govt. of India Undertaking) GAIL Building, 16 Bhikaji Cama Place, R. K. Puram, Ring Road, New Delhi-110066 free from encumbrance.

SCHEDULE

State : Maharashtra District : Raigad Tahsil : Alibag

Village	Survey Number	Hissa Number	Block Number	Area		
				H	Are	C. Are
Deoghar	---	---	314 Part	---	09	50
	---	---	305 Part	---	02	30

[No. L-14016/9/93-G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 6 दिसम्बर, 1993

का.भा. 2723.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि महाराष्ट्र राज्य, जिला रायगढ़ में मोज बोरीस, तहसील अलिबाग में मोजे सालाव, तहसील मरुड जंजीरा तक नैसर्गिक गैस परिवहन के लिये पाईप लाईन में अभाग्रिटी ऑफ इंडिया लिमिटेड, नई दिल्ली-110066 के मार्फत बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एन्डोवाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का अधिकार अर्जित करने का अपना आशय घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उक्त भूमि के नीचे पाईप लाईन बिछाने के लिये आक्षेप सक्षम प्राधिकारी, गैस अभाग्रिटी ऑफ इंडिया लिमिटेड, प्रभु निवास, 2रा संजला अलिबाग, जिला रायगढ़, राज्य महाराष्ट्र को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि वह यह चाहता है कि उसकी मुतवाही स्वरूप में हो या किसी विधि व्यवसायी की मार्फत।

परिशिष्ट

राज्य : महाराष्ट्र

तहसील : मरुड जंजीरा

जिला : रायगढ़

गांव का नाम	सर्वे नम्बर	हिस्सा नम्बर	गट नम्बर	क्षेत्र		
				हेक्टर	आर	सें. आर
सालाव	7	2 भाग	—	0	02	10
	7	1-ए	भाग	0	51	00
		1-बी				
		1-सी				
		1-डी				
		1-ई				
	14	8-ए	भाग	0	00	50
		8-बी				
	22	1 भाग	—	0	10	50
	22	2 भाग	—	0	03	40
	22	4 भाग	—	0	05	50
	21	2-ए	भाग	0	17	00
		2-बी				
		2-सी				
	21	3 भाग	—	0	05	10
	21	5 भाग	—	0	07	20
	21	6 भाग	—	0	04	60
	21	7 भाग	—	0	04	40

[सं. एन-14016/9/93-जी पी]

अश्वेन्दु सेन, निदेशक

New Delhi, the 6th December, 1993

SCHEDULE

State : Maharashtra Tahasil : Murud Janjira District : Raigad

Village	Survey Number	Hissa Number	Gat Number	Area		
				H	Ac	C. Arc
Salav	7	2 Part	—	0	02	10
	7	1-A	—	—	—	—
	—	1-B)	—	—	—	—
	—	1-C)	—	0	51	00
	—	1-D)	—	—	—	—
	—	1-E)	—	—	—	—
	14	8-A)	—	0	00	50
	—	8-B)	—	—	—	—
	22	1 Part	—	0	10	50
	22	2 Part	—	0	03	40
	22	4 Part	—	0	05	50
	—	2-A)	—	—	—	—
	21	2-B)	—	0	17	00
	—	2-C)	—	—	—	—
	21	3 Part	—	0	05	10
	21	5 Part	—	0	07	20
	21	6 Part	—	0	04	60
	21	7 Part	—	0	04	40

S.O. 2723.—Whereas it appears to the Central Govt. that it is necessary in the public interest that for the transport of Natural Gas from Village-Boris, Tahasil-Alibag, District-Raigad to village-Salav, Tahasil-Murud Janjira, District-Raigad in the state of Maharashtra pipe line should be laid through the Agency of Gas Authority of India Ltd. 16 Bhikaji Cama Place, R. K. Puram, Ringh Road, New Delhi 110 066,

And whereas, it appears to the Central Govt. that for the purpose of laying such pipe lines, it is necessary to acquire the Right of User in the lands decalred in the schedule annexed hereto,

Now, therefore, in exercise of the powers conferred by Sub-Section (1) of Section 3 of the Petroleum & Minerals pipe lines, (Acquisition of Right of user in the lands) Act 1962 (50 of 1962) the Central Govt. declares its intention to acquire the Right of User in lands referred in the schedule.

Provided that any person interested in the said lands having any objection for laying the pipe lines through the said lands may prefer any objection within 21 days from the date of notification to the Competent Authority, Thal. Salav Natural Gas pipe line, Prabhu Nivas, 2nd Floor, At. Post. Tahasil-Alibag, District-Raigad, State-Maharashtra.

And every person making such an objection shall state specifically whether he wishes to be heard in person or by a legal practitioner.

[No. L-14016/9/93 G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2724.—यतः पेट्रोलियम और खनिज पाईप लाईन भूमि से उपयोग के अधिकार का अधिनियम 1962 (1962 का 50) धारा 3 की उपधारा 1 के अधीन भारत सरकार के पेट्रोलियम और केमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का.आ. 2517, दिनांक 16-9-1992 राजपत्र दिनांक 3-10-92 द्वारा भारत सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाईप लाईन बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा 1 के अधीन सरकार को रिपोर्ट दिया है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा (6) की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा (6) की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार यह निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लि., गैस बिल्डिंग 16, भीकाजी कामा प्लेस, आर के पूरम, रिंग रोड, नई दिल्ली-110066 में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

परिशिष्ट

राज्य : महाराष्ट्र

जिला : रायगढ़

तहसील : मुरुड-जंजीरा

ग्राम का नाम	सर्वे नम्बर	हिस्सा क्रमांक	क्षेत्र		
			हेक्टर	आर. सेंटीआर	
सालाव	5	1 भाग	0	02	00
	5	2/1 भाग	0	01	20
	4	2/1-3 भाग	0	01	20

1	2	3	4	5	6
सालाब—जारी	4	2/8 भाग	0	01	80
	4	2/12 भाग	0	02	50
	4	2/13 भाग	0	07	00
	4	2/14 भाग	0	07	40
	4	2/11 भाग	0	13	40
	4	2/10 भाग	0	00	30
	9	1/4 भाग	0	01	00
	9	1/6 भाग	0	08	80
	9	1/7 भाग	0	04	80
	9	1/3 भाग	0	12	80
	9	3-ए भाग	0	00	80
	9	1/8 भाग	0	04	20

[सं. एल-14016/9/93-जी पी]

अर्धेन्दु सेन, निदेशक

New Delhi, the 6th December, 1993

SCHEDULE

S.O. 2724.—Whereas by Notification of the Government of India in the Ministry of Petroleum & Natural Gas, S.O. No. 2517, dated 16-9-92 Gazette dated 3-10-92, page No. 3907-3908 under Sub-Section (1) of Section 3 of the Petroleum & Minerals pipelines (Acquisition of Right of user in the land) Act 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Govt. of India,

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the schedule appended to this Notification;

Now, therefore, in exercise of the power conferred by Sub-Section (1) of Section 6, of the said Act, the Central Govt. hereby declares that the Right of User in the said land specified in the schedule appended to this Notification hereby acquired for laying Gas pipeline,

And further in exercise of power conferred by Sub-Section (4) of the Section 6, the Central Govt. directs the Right of user in the said lands shall instead of vesting in Central Govt. it vests on this date of the publication of this declaration in the Gas Authority of India Ltd, GAIL Building, 16 Bhikaij Cama Place, R. K. Puram, Ring Road, New Delhi 110 066 free from all encumbrances,

State : Maharashtra District : Raigad Tahasil : Murud

Village	Survey Number	Hissa Number	Area		
			Hector	Are	C.
Salav	5	1 Part	0	02	00
	5	2/1 Part	0	01	20
	4	2/1 +3 Part	0	01	20
	4	2/8 Part	0	01	80
	4	2/12 Part	0	02	50
	4	2/13 Part	0	07	00
	4	2/14 Part	0	07	40
	4	2/11 Part	0	13	40
	4	2/10 Part	0	00	30
	9	1/4 Part	0	01	00
	9	1/6 Part	0	08	80
	9	1/7 Part	0	04	80
	9	1/3 Part	0	12	80
	9	3-A Part	0	00	80
	9	1/8 Part	0	04	20

[No. L-14016/9/93 G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2725.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि महाराष्ट्र राज्य जिला रायगड में मौजे बोरीस तहसील अलिबाग में, मौजे सालाब तहसील गुरुड जंजिरा, जिला रायगड तक नैसर्गिक गैस परिवहन के लिये पाइप लाइन गैस अथारिटी आफ इंडिया लि., नई दिल्ली 110066 के मार्फत बिछाई जानी चाहिये और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अपना आशय घोषित किया है;

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे, पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, थल-सालाख प्राकृतिक गैस पाइप लाइन, प्रभु निवास, दूसरा मंजला, मु.पो. तहसील अलिबाग, जिला रायगढ़, राज्य महाराष्ट्र-402201 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा,

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि यह चाहता है कि, उसकी मुनबाई व्यक्तिगत रूप में होगी या किसी विधी व्यवसायी के मार्फत।

परिशिष्ट

तहसील : अलिबाग

जिला : रायगढ़

राज्य : महाराष्ट्र

ग्राम का नाम	सर्वे नं.	हिस्सा नं.	क्षेत्र		
			हे.	आर.	सेंटीयर
कुरुल	14	4 भाग	0	00	10

[सं. एल-14016/9/93-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 6th December, 1993

S.O. 2725.—Whereas it appears to the Central Govt. that it is necessary in the public interest that for the transport of Natural Gas from Village Boris, Tahasil-Alibag District-Raigad to Village-Salav, Tahasil-Murud Jajira, District-Raigad in the State of Maharashtra Gas pipe line should be laid through the Agency of Gas Authority of India Ltd. 16 Bhikaji Cama Place, R. K. Puram, Ring Road, New Delhi-110066.

said lands may prefer any objection within 21 days from the Date of Notification to the Competent Authority, Thal-Salav Natural Gas pipe line, Prabhu Niwas, 2nd Floor, At, Post, Tahasil-Alibag, District-Raigad, State-Maharashtra.

And every person making such an objection shall state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Tahasil : Alibag District : Raigad State : Maharashtra

Village	Survey Number	Hissa Number	Area		
			Hec- tor	Are	C. Are
Kurul	14	4 Part	0	00	10

And whereas, it appears to the Central Govt. that for the purpose of laying such pipe lines, it is necessary to acquire the Right of User in the lands described in the schedule annexed hereto,

Now, therefore, in exercise of the powers conferred by Sub-Section (1) of Section 3 of the Petroleum & Minerals pipe lines, (Acquisition of Right of User in the lands) Act 1962 (50 of 1962) the Central Govt. declares its intention to acquire the Right of User in the lands referred in the schedule,

Provided that any person interested in the said lands having any objection for laying the pipe lines through the

[No. L-14016/9/93 G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2726.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और केमिकल्स मंत्रालय प्राकृतिक गैस विभाग नई दिल्ली की भारत सरकार के दिनांक 20 जून, 1992 के राजपत्र में प्रकाशित हुई अधिसूचना का.आ. 1624 दिनांक 5 जून, 1992 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन को बिछाने के लिये अर्जित किया जाता है ऐसा अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को अपना रिपोर्ट दे दिया है।

और, आगे, यतः, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब, अतः, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग के अधिकार पाइप लाइन बिछाने के लिये एतद्वारा अर्जित किया जाता है।

और आगे इस धारा 6 की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार यह निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लि., 16 भीकाजी कामा प्लेस, आर.के. पुरम, रिंग रोड, नई दिल्ली-110066 में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

परिशिष्ट

राज्य : महाराष्ट्र

जिला : रायगड

तहसील : अलिबाग

गांव का नाम	सर्वे नम्बर	हिस्सा नम्बर	गट नम्बर	क्षेत्र		
				है.	आर	सेंटीयर
बैलकडे	--	--	366 भाग	0	00	85

[स. एम-14016/9/93-जी पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 6th December, 1993

S.O. 2726.—Whereas by Notification of Govt. of India, Ministry of Petroleum and Natural Gas, S.O. No. 1624 dated 5-6-92, published in the Govt. of India's Gazette dated 20-6-92 under Section 3, Sub-section 1 of the Petroleum and Minerals pipe lines (Acquisition of Right of User in land) Act 1962 (50 of 1962) the Central Govt. declares its intention to acquire the Right of User in the land specified in the schedule appended to that Notification for the purpose of laying Gas pipe line.

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Govt. has after considering the said report decided to acquire the Right of User in the land specified in the schedule appended to this Notification.

Now, therefore, in exercise of the powers conferred by Sub-Section (1) of Section 6 of the said Act, the Central Govt. hereby declares that the Right of User in the lands specified in the schedule appended to the Notification hereby acquired for laying the Gas pipe line.

And further in exercise of the powers conferred by Sub-section (4) of the Section 6 of the Central Govt. directs that the Right of User in the said lands shall instead of vesting in Central Govt. it vests on this declaration on this date of the publication in the Gas Authority of India Ltd. 16 Bhikaji Gama Place, R.K. Puram, Ring Road, New Delhi-110066 free from encumbrance.

SCHEDULE

State : Maharashtra District : Raigad Tahasil . Alibag

Village	Survey Number	Hissa Number	Block Number	Area		
				H Are	C. Are	
Belkade	—	—	366 Part	0	00	85

[No. L-14016/9/93 GP.]

ARDHENDU SEN, Director

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2727.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और केमीकल मंत्रालय प्राकृतिक गैस विभाग नई दिल्ली की भारत सरकार के दिनांक 20 जून, 1992 के राजपत्र में प्रकाशित हुई अधिसूचना का.आ. 1623 दिनांक 5 जून, 1992 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और, यतः, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को अपनी रिपोर्ट दे दिया है।

और, आगे, यतः, केन्द्रीय सरकारने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब, अतः, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए कन्द्रीय सरकार एतद्-द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के लिये एतद्द्वारा अर्जित किया जाता है।

और, आगे, इस धारा 6 की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार यह निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लि., 16 भीकाजी कामा प्लेस, आर.के. पुरम, रिंग रोड, नई दिल्ली-110066 में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

राज्य : महाराष्ट्र

जिला : रायगड

तहसील : अलिबाग

गांव का नाम	खत नम्बर	हिस्सा नम्बर	गट नम्बर	क्षेत्र		
				हे.	आर	सेटीयर
कावीर	—	—	196-ए भाग	0	04	70

[स. एल-14016/9/93-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 6th December, 1993

S.O. 2727.—Whereas by Notification of Govt. of India, Ministry of Petroleum and Natural Gas, S.O. No. 1623 dated 5-6-92, published in the Govt. of India's Gazette dated 20-6-92 under Section 3, of (Sub-Section 1) of the Petroleum and Minerals pipe lines (Acquisition of Right of User in land) Act, 1962 (50 of 1962) the Central Govt. declares its intention to acquire the Right of User in the land specified in the schedule appended to that Notification for the purpose of laying Gas pipe line.

And, whereas, the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Govt. has after considering the said report decided to acquire the Right of User in the land specified in the schedule appended to this Notification.

Now, therefore, in exercise of the powers conferred by Sub-Section (1) of Section 6 of the said Act, the Central Govt. hereby declares that the Right of User in the said lands specified in the schedule appended to the Notification hereby acquired for laying the Gas pipe line.

And further in exercise of powers conferred by Sub-Section (4) of the Section 6, the Central Govt directs that the Right of User in the said lands shall, instead of vesting in Central Govt. it vests on this date of the publication of this declaration in the Gas Authority of India Ltd., 16 Bhikaji Cama Place, R. K. Puram, Ring Road, New Delhi-10066 free from encumbrances.

SCHEDULE

State : Maharashtra District : Raigad Tahsil : Alibag

Village	Survey Number	Hissa Number	Block Number	Area		
				H	Arc	C.
Kavir			196-A Part	0	04	70

[No. L-14016/9/93-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2728.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और केमिकल्स मंत्रालय प्राकृतिक गैस विभाग, नई दिल्ली की भारत सरकार के दिनांक 20 जून 92 क राजपत्र में प्रकाशित हुई अधिसूचना का.आ. 1622 दिनांक 5 जून, 1992 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों के उपयोग का अधिकार पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और, आगे, यतः, मक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को अपनी रिपोर्ट दे दी है।

और, आगे, यतः, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अथ, अतः, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और, आगे, इस धारा 6 की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार यह निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लि. गैल बिल्डिंग, 16 भीकाजी कामा प्लेस, आर. के. पुरम, रिंग रोड, नई दिल्ली-110066 में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

राज्य : महाराष्ट्र

तहसील : अलिबाग

जिला : रायगड

गांव का नाम	सर्वे नम्बर	हिस्सा नम्बर	गट नम्बर	क्षेत्र		
				है.	आर	सेंटीयर
चौल	---	---	2773/39 भाग	0	24	90
	---	---	2773/50 भाग	0	00	90
	---	---	2773/58 भाग	0	17	00

[सं एल-14016/9/93-जीपी]

अर्धेन्दु सेन, निदेशक

New Delhi, the 6th December, 1993

S.O 2728.—Whereas by Notification of Govt. of India, Ministry of Petroleum and Natural Gas, S.O. No. 1622, dated 5-6-1992, published in the Govt. of India's Gazette dated 20-6-92 under Section 3, Sub-Section 1 of the Petroleum and Minerals pipe lines (Acquisition of Right of User in land) Act, 1962 (50 of 1962) the Central Govt. declares its intention to acquire the Right of User in the land specified in the schedule appended to that Notification for the purpose of laying Gas pipe line.

And, whereas, the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government

And, further, whereas the Central Govt. has after considering the said report decided to acquire the Right of User in the land specified in the schedule appended to this Notification.

Now, therefore, in exercise of the powers conferred by Sub-Section (1) of Section 6 of the said Act, the Central Govt. hereby declares that the Right of User in the said lands specified in the schedule appended to the Notification hereby acquired for laying the Gas pipe line.

And, further, in exercise of powers conferred by Sub-Section (4) of the Section 6, the Central Govt. directs that the Right of User in the said lands shall instead of vesting in Central Govt. it vests on this date of the publication of this declaration in the Gas Authority of India. (A Govt. of India Undertaking) Ltd., 16 Bhikaji Cama Place, R. K. Puram, Ring Road, New Delhi-1100 066 free from encumbrance.

SCHEDULE

State : Maharashtra Tahsil : Alibag District : Raigad

Village	Survey Number	Hissa Number	Block Number	Area		
				H.	Ac	C. Arc
Choul			2773/39	0	24	90
			Part			
			2773/50	0	00	90
			Part			
			2773/58	0	17	00
			Part			

[No. L-14016/9/93-GP]

ARDHENDU SEN, Director

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2729.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और केमिकल्स मंत्रालय की अधिसूचना का.आ. 1554 दिनांक 1-6-1992 राजपत्र दिनांक 13-6-1992 द्वारा भारत सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों के उपयोग के अधिकार को पाइप लाइन को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन को रिपोर्ट दे दिया है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिमूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार अर्जित करने का निष्पत्ति किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्-द्वारा घोषित करती है कि इस अधिमूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे इस धारा 6 की उपधारा 4 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लि. (भारत सरकार का उपक्रम) गैस बिल्डिंग, 16 भिकाजी, कामा प्लेस, आर.के. पुरम, रिंग रोड नई दिल्ली-110 066 द्वारा सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

परिशिष्ट

राज्य : महाराष्ट्र		जिला : रायगड		तहसील : अलिबाग		
गांव का नाम	सर्वे नम्बर	हिस्सा नम्बर	गट नम्बर	क्षेत्र		
				हेक्टर	आर	से.आर
सहाण	—	—	386 पार्ट	0	00	57

[सं. एल-14016/9/93जी.पी.]

अर्जेंदु सेन, निदेशक

New Delhi, the 6th December, 1993

S.O. 2729.—Whereas by Notification of Govt. of India, Ministry of Petroleum and Natural Gas, S.O. No. 1554 dated 1-6-92, published in the Govt of India's Gazette dated 1-3-92 under Section 3, Sub-Section 1 of the Petroleum and Minerals pipe lines (Acquisition of Right of User in land) Act 1962 (50 of 1962) the Central Govt. declares its intention to acquire the Right of User in the land specified in the schedule appended to that Notification for the purpose of laying Gas pipe line.

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government

And further whereas the Central Govt. has after considering the said report decided to acquire the Right of User in the land specified in the schedule appended to this Notification.

Now, therefore, in exercise of the powers confirmed by Sub-Section (1) of Section 6 of the said Act, the Central Govt. hereby declares that the Right of User in the said lands specified in the schedule appended to the Notification hereby acquired for laying the Gas pipe line.

And further in exercise of powers confirmed by Sub-Section (4) of the Section 6, the Central Govt. directs that the Right of User in the said lands shall instead of vesting in Central Govt. it vests on this date of the publication of this declaration in the Gas Authority of India Ltd. (A Govt. of Undertaking) GAIL Building, 16 Bhikaji Cama Place, R. K. Puram, Ring Road, New Delhi 110 066 free from encumbrance.

SCHEDULE

State : Maharashtra District : Raigad Tahasil : Ahbarg

Village	Survey Number	Hissa Number	Block Number	Area		
				H	Are	C.
Sahan	—	—	386 Part	0	00	57

[No. L 14016/9/93-GP]

Ardhendu Sen, Director

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2730.—यतः पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1992 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कोमिकल्स मंत्रालय की अधिमूचना का.आ. 1554 दिनांक 1-6-92 राजपत्र दिनांक 13-6-1992 द्वारा भारत सरकार ने उस अधिमूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों के उपयोग के अधिकार को पाईप लाईन को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दिया है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) के द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा 6 की उपधारा 4 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लि. (भारत सरकार का उपक्रम) गैल बिल्डिंग, 16 भिकाजी कामा प्लेस, आर.के. पुरम, रिंग रोड नई दिल्ली-110 066 द्वारा सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

परिशिष्ट

राज्य : महाराष्ट्र

जिला : रायगड

तहसील : अलिबाग

गांव का नाम	सर्वे नम्बर	हिस्सा नम्बर	गट नम्बर	क्षेत्र		
				हेक्टर	आर	से. आर
चेंड्रे	52	2-ए पार्ट	—	0	02	60
	52	4 पार्ट	—	0	13	20

[सं. एल-14016/9/93 जीपी]

अर्चन्दु सेन, निदेशक

New Delhi, the 6th December, 1993

S.O. 2730.—Whereas by Notification of Govt. of India, Ministry of Petroleum and Natural Gas, S.O. No. 1555 dated 1-6-92, Published in the Govt. of India's Gazette dated 13-6-92 under Section 3, Sub-Section 1 of the Petroleum and Minerals pipe lines (Acquisition of Right of User in land) Act 1962 (50 of 1962) the Central Govt. declares its intention to acquire the Right of User in the land specified in the schedule appended to that Notification for the purpose of laying Gas pipe line,

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Govt. has after considering the said report decided to acquire the Right of User in the land specified in the schedule appended to this Notification.

Now, therefore, in exercise of the powers confirmed to Sub-Section (1) of Section, 6 of the said Act, the Central Govt. hereby declares that the Right of User in the said lands specified in the schedule appended to the Notification hereby acquired for laying the Gas pipe line.

And further in exercise of powers confirmed by Sub-Section (4) of the Section 6, the Central Govt. directs that the Right of User in the said lands shall instead of vesting in Central Govt. it vests on this date of the publication of the declaration in the Gas Authority of India Ltd., (A Govt. of Undertaking) GAIL Building, 16 Bhikaji Cama Place, R. K. Puram, Ring Road, New Delhi 110 066 free from encumbrance.

SCHEDULE

State : Maharashtra District : Raigad Tahsil : Alibag

Village	Survey Number	Hissa Number	Block Number	Area		
				H.	Are	C. Are
Chendhre	52	2-A Part		0	02	60
	52	4 Part		0	13	20

[No. L-14016/9/93 GP.]

Ardhendu Sen., Director

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2731.—यतः पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय की अधिसूचना का.आ. 1556 दिनांक 1-6-1992 राजपत्र दिनांक 13-6-1992 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों के उपयोग के अधिकार को पाईप लाईन को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दिया है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिमूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब आगे उक्त अधिनियम की धारा 6 की उपधारा (1) के द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिमूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे इस धारा 6 की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार यह निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लि. (भारत सरकार का उपक्रम) गैस बिल्डिंग, 16 भिकाजी कामा प्लेस, आर. के. पुरम, रिंग रोड, नई दिल्ली-110066 द्वारा सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

परिशिष्ट

जिला : रायगड

तहसील : अलिबाग

राज्य : महाराष्ट्र

गाँव का नाम	सर्वे नम्बर	हिस्सा नम्बर	गट नम्बर	क्षेत्र		
				हेक्टर	आर	सें. आर
बेलकडे	—	—	28 पार्ट	0	02	70
	—	—	299 पार्ट	0	00	15
	—	—	297 पार्ट	0	02	60
	—	—	294 पार्ट	0	04	50
	—	—	293 पार्ट	0	01	60
	—	—	220 पार्ट	0	00	70
	—	—	243 पार्ट	0	00	60

[सं. एल-14016/9/93-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 6th December, 1993

S.O. 2731.—Whereas by Notification of Govt. of India, Ministry of Petroleum and Natural Gas, S.O. No. 1556 dated 1-6-92, Published in the Govt. of India's Gazette dated 13-6-92 under Section 3, Sub-Section 1 of the Petroleum and Minerals pipe lines (Acquisition of Right of User in Land) Act 1962 (50 of 1962) the Central Govt. declares its intention to acquire the Right of User in the land specified in the schedule appended to that Notification for the purpose of laying Gas pipe line.

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Govt. has after considering the said report decided to acquire the Right of User in the land specified in the schedule appended to this Notification

Now, therefore, in exercise of the powers conferred by Sub-Section (1) of Section 6 of the said Act, the Central Govt. hereby declares that the Right of User in the said lands specified in the schedule appended to the Notification hereby acquired for laying the Gas pipe line.

And, further in exercise of powers conferred by Sub-Section (4) of the Section 6, the Central Govt. directs that the Right of User in the said lands shall instead of vesting in

Central Govt. it vests on this date of the publication of this declaration in the Gas Authority of India Ltd. (A Govt. of India Undertaking) GAIL, Building, 16 Bhikaji Cama Place, R. K. Puram, Ring Road, New Delhi-1100 066 free from encumbrance.

SCHEDULE

State : Maharashtra District : Raigad Tahsil : Alibag

Village	Survey Number	Hissa Number	Block Number	Area		
				H.	Are	C.
Belkade			28 Part	0	02	70
			299 Part	0	00	15
			297 Part	0	02	60
			294 Part	0	04	50
			293 Part	0	01	60
			220 Part	0	00	70
			243 Part	0	00	60

[No. L-14016/9/93 GP.]

Ardhendu Sen, Director

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2732.—यतः पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कॅमिकल्स मंत्रालय प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1553 दिनांक 1-6-1992 राजपत्र दिनांक 13-6-1992 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग के अधिकार को पाईप लाईन को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को अपना रिपोर्ट दे दिया है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा 6 की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड (भारत सरकार का उपक्रम) गैल बिल्डिंग, 16 भिकाजी कामा प्लेस, आर. के. पुरम, रिंग रोड, नई दिल्ली-110066 में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

परिशिष्ट

राज्य : महाराष्ट्र

जिला : रायगड

तहसील : अलिबाग

गांव का नाम	सर्वे नम्बर	हिस्सा नम्बर	गट नम्बर	क्षेत्र		
				हे.	आर.	सें.आर.
खानाव	96	3 पार्ट	—	0	00	60
	68	8 पार्ट	—	0	03	00

[सं. एल-14016/9/93 जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 6th December, 1993

S.O. 2732.—Whereas by Notification of Govt. of India, Ministry of Petroleum and Natural Gas, S.O. No. 1553 dated 1-6-92, Published in the Govt. of India's Gazette dated 13-6-92 under Section 3, Sub-Section (1) of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Govt. declares its intention to acquire the Right of User in the land specified in the schedule appended to that Notification for the purpose of laying Gas pipe line.

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Govt. has after considering the said report decided to acquire the Right of User in the land specified in the schedule appended to this Notification.

Now, therefore, in exercise of the powers confirmed by Sub-Section (1) of Section 6 of the said Act, the Central Govt. hereby declares that the Right of User in the said lands specified in the schedule appended to the Notification hereby acquired for laying the Gas pipe line.

And further in exercise of powers confirmed by Sub-Section (4) of the Section 6, the Central Govt. directs that the Right of User in the said lands shall instead of vesting in Central Govt. it vests on this date of the publication of this declaration in the Gas Authority of India Ltd. (A Govt. of India Undertaking) GAIL Building, 16 Bhikaji Cama Place R. K. Puram, Ring Road, New Delhi-110066 free from encumbrance.

SCHEDULE

State : Maharashtra		District : Raigad		Tahsil : Alibag		
Village	Survey	Hissa	Block	Area		
	Number	Number	Number	Hec-	Are	C.
				tor		R.
Khanav	96	3 Part	—	0	00	60
	68	8 Part	—	0	03	00

[No. L-14016/9/93 GP.]

ARDHENDU SEN, Director

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2733.—यतः पेट्रोलियम और खनिज पाईप लाईन [भूमि में उपयोग के अधिकार का अर्जन] अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैंमिकल्स मंत्रालय प्राकृतिक गैस विभाग नई दिल्ली की भारत सरकार के दिनांक 20 जून, 92 के राजपत्र में प्रकाशित हुई अधिसूचना का.आ. 1621 दिनांक 5 जून, 92 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों के उपयोग का अधिकार पाईप लाईन को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और आगे यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को अपना रिपोर्ट दे दिया है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उप धारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा 6 की उप धारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार यह निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लि., 16 भिकाजी कामा प्लेस, आर.के.पुरम, रिंग रोड, नई दिल्ली-110 066 में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

परिशिष्ट

राज्य : महाराष्ट्र		जिला : रायगड		तहसील : अलिबाग		
गांव का नाम	सर्वे नम्बर	हिस्सा नम्बर	क्षेत्र			
			हे	आर	सें आर	
बामणोली	14	1 पार्ट	0	02	40	

[सं एल-14016/9/93-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 6th December, 1993

S.O. 2733.—Whereas by Notification of Govt. of India, Ministry of Petroleum and Natural Gas, S.O. No. 1621 dated 5-6-92, published in the Govt. of India's Gazette dated 20-6-92 under Section 3, Sub-Section (1) of the Petroleum, and Minerals pipe lines (Acquisition of Right of User in land) Act 1962 (50 of 1962) the Central Govt. declares its intention to acquire the Right of User in the land specified in the schedule appended to that Notification for the purpose of laying Gas pipe line.

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Govt. has after considering the said report decided to acquire the Right of User in the land specified in the schedule appended to this Notification.

Now, therefore, in exercise of the powers conferred by Sub-Section (1) of Section 6 of the said Act, the Central Govt. hereby declares that the Right of User in the said lands specified in the schedule appended to the Notification hereby acquired for laying the Gas pipe line.

And further in exercise of powers conferred by Sub-Section (4) of the Section 6, the Central Govt. directs that the Right of User in the said lands shall instead of vesting in Central Govt. it vests on this date of the publication of this declaration in the Gas Authority of India, Ltd. 16 Bhikaji Cama Place, R. K. Puram, Ring Road, New Delhi-110066 free from encumbrance.

SCHEDULE

State : Maharashtra District : Raigad Tahsil : Alibag

Village	Survey Number	Hissa Number	Area		
			Hec- tor	Are	C. Are
Bamoli	14	1 Part	0	02	40

[No. L-14016/9/93 GP.]

ARDHENDU SEN, Director

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2734.—यतः पेट्रोलियम और खनिज पार्श्व लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और वैमिकल्स मंत्रालय प्राकृतिक गैस विभाग नई दिल्ली की भारत सरकार के दिनांक 20 जून, 92 के राजपत्र में प्रकाशित हुई अधिसूचना का.आ. 1620 दिनांक 5 जून, 92 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची विनिर्दिष्ट भूमियों के उपयोग का अधिकार पार्श्व लाईन को विछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और आगे यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दिया है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पार्श्व लाईन विछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा 6 की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार यह निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लि., 16 भिकाजी कामा प्लेस, आर. के. पुरम, रिंग रोड, नई दिल्ली-110 066 में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

परिशिष्ट

राज्य : महाराष्ट्र

तहसील : अलिबाग

जिला : रायगड

गांव का नाम	सर्वे नम्बर	हिस्सा नम्बर	क्षेत्र		
			हेक्टर	आर	सें आर
वरसोली	273	0 पार्ट	0	01	00
	280	14 पार्ट	0	17	80

[सं. एन-14016/9/93-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 6th December, 1993

S.O. 2734.—Whereas by Notification of Govt of India, Ministry of Petroleum and Natural Gas, S.O. No. 1555 5-6-92, Published in the Govt. of India's Gazette dated 20-6-92 under Section 3, Sub-Section 1 of the Petroleum and Minerals pipe lines (Acquisition of Right of User in land) Act 1962 (50 of 1962) the Central Govt declares it's intention to acquire the Right of User in the land specified in the schedule appended to that Notification for the purpose of laying Gas pipe line,

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Govt. has after considering the said report decided to acquire the Right of User in the land specified in the schedule appended to this Notification.

Now, therefore in exercise of the powers conferred by Sub-Section (1) of Section 6 of the said Act, the Central Govt, hereby declares that the Right of User in the said lands specified in the schedule appended to the Notification hereby acquired for laying the Gas pipe line.

And, further in exercise of powers conferred by Sub-Section (4) of the Section 6, the Central Govt, directs that the Right of User in the said lands shall instead of vesting in Central Govt. it vests on this date of the publication of this declaration in the Gas Authority of India, Ltd. 16 Bhikaji Cama Place, R. K. Puram, Ring Road, New Delhi-110066 free from encumbrance.

SCHEDULE

State : Maharashtra District : Raigad Tahsil : Alibag

Village	Survey Number	Hissa Number	area		
			II	Arc	C Arc
Warsoli	273	0 Part	0	01	00
	280	14 Part	0	17	80

[No. L-14016/9/93 GP.]

ARDHENDU SEN, Director

नई दिल्ली, 6 दिसम्बर, 1993

का. आ. 2735.--यतः पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा (3) की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कैमिकल्स मंत्रालय, प्राकृतिक गैस विभाग की अधिसूचना का. आ. 2518 तारीख 16-9-92 राजपत्र दिनांक 3-10-92 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाईप लाईन को बिछाने के प्रयोजन के लिए अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा (6) की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा (6) की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लि, नई दिल्ली, 110066 में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

राज्य--महाराष्ट्र

जिला : रायगड

तहसील : अलिबाग

ग्राम	सर्वे क्रमांक	गट क्रमांक	हिस्सा क्रमांक	क्षेत्र		
				हेक्टर आर से. आर		
बेलकडे	--	307 पोर्ट	--	0	0	80

[सं. ए. ल 14016/9/93 जी पी]

अर्धेन्दु सेन, निदेशक

New Delhi, the 6th December, 1993

S.O. 2735.—Whereas by Notification of the Govt. of India in the Ministry of Petroleum and Natural Gas S.O. No. 2518, dated 16-9-1992 Gazette dated 3-10-92 under Sub-Section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act 1962 (50 of 1962) the Central Govt. declared its intention to acquire the Right of User in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of the Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Govt. has after considering the said report decided to acquire the Right of User in the lands in the schedule appended to this Notification.

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Govt. hereby declares that the Right of User in the said land specified in the schedule appended to this Notification hereby acquired for laying the Gas pipe line.

And further in exercise of powers conferred by Sub-Section (4) of the section 6 of the Central Govt. directs that the Right of User in the said lands shall instead of vesting in Central Govt, it vests on this date of the publication of this declaration in the Gas Authority of India Ltd., GAIL Building, 16 Bhikaji Cama Place, R. K. Puram, Ring Road, New Delhi-110066 free from all encumbrances.

SCHEDULE

District : Raigad Tahasil : Alibag State : Maharashtra

Village	Survey Number	Hisssa Number	Area		
			Hec- tor	Are	C. Are
Belkade		307 Part	0	00	80

[No. L-14016/9/93 GP.]

ARDHENDU SEN, Director

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2736.—यतः पेट्रोलियम और खनिज पार्श्व लार्डन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और कॅमिस्टल मंत्रालय प्राकृतिक गैस विभाग की अधिसूचना का.आ. 1553 दिनांक 1-6-92 राजपत्र दिनांक 13-6-92 द्वारा भारत सरकार ने उक्त अधिसूचना से संबन्धित अनुसूची में निर्दिष्ट उक्त भूमियों के उपयोग के अधिकार को पार्श्व लार्डन को विधान के लिये अर्जित करने का अपना आशय घोषित किया था।

और यतः अधिसूचना के उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को आती रिपोर्ट दे दिया है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संबन्धित अनुसूची में निर्दिष्ट उक्त भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अतः यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार घोषित करती है कि इस अधिसूचना से संबन्धित अनुसूची में निर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पार्श्व लार्डन विधान के प्रयोजन के लिये एतद्द्वारा अर्जित किया जाता है।

और आगे इस धारा 6 की उपधारा 4 द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार का यह निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार से निहित होने के बराबर गैस अथॉरिटी ऑफ इंडिया लि. (भारत सरकार का उपक्रम) गैस बिल्डिंग 16 भीकाजी कामा प्लेस आर. के. पुरम लि. रोड, नई दिल्ली-110 066 में सभी बातों में मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

परिशिष्ट

राज्य : महाराष्ट्र

जिला : रायगड़

तहसील : अलिबाग

गांव का नाम	सर्वे नम्बर	हिस्सा नम्बर	गट नम्बर	क्षेत्र
				हेक्टर आर सें.आर.
खानाव	3	1 पार्ट	—	0 05 50

[सं. एन-14016/9/93 जी पी]

अर्जेंडु सैन, निदेशक

New Delhi, the 6th December, 1993

S.O. 2736.—Whereas by Notification of Govt. of India, Ministry of Petroleum and Natural Gas, S.O. No. 1553 dated 1-6-92, published in the Govt. of India's Gazette dated 13-6-92 under Section 3, Sub-Section 1 of the Petroleum and Minerals Pipe Lines (Acquisition of Right of User in the land) Act 1962 (50 of 1962) the Central Govt. declares its intention to acquire the Right of User in the land specified in the schedule appended to that Notification for the purpose of laying Gas pipe line.

And whereas the Competent Authority has under Sub-Section (1) of the Section 6 of the said Act, submitted report to the Government of India.

And further whereas the Central Govt. has after considering the said report decided to acquire the Right of User in the land specified in the schedule appended to this Notification.

Now, therefore, in exercise of the powers conferred by Sub-Section (1) of Section 6 of the said Act, the Central Govt. hereby declares that the Right of User in the said lands specified in the schedule appended to the Notification hereby acquired for laying the Gas pipe line.

And further in exercise of the powers conferred by Sub-section (4) of the Section 6, the Central Govt. directs that the Right of User in the said lands shall instead of vesting in Central Govt. it vests on this date of the publication of this declaration in the Gas Authority of India, Ltd., (A Govt. of India Undertaking) Gas Building 16, B. Laji Cama Place, R.S. Puram, Ring Road, New Delhi-110066 free from all encumbrances

SCHEDULE

State : Maharashtra Tahsil : Alibag District : Raigad

Village	Survey Number	Hissa Number	Area
			He- Are Cen- tor tiare
Khanav	3	1Part	— 05 50

[No. L-14016/9/93 GP]

ARDHENDU SEN, Director

शुद्धि पत्र

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2737—भारत सरकार के राजपत्र भाग 2 खण्ड 3(2) में प्रकाशित अधिसूचना सं. का.आ. 1713 दिनांक 30-5-91 शुद्धिपत्र सं. का.आ. 2353, दिनांक 5-9-91 में

गांव का नाम			पड़िये			के स्थान पर		
सर्वे नंबर	हिस्सा नंबर	क्षेत्र	सर्वे नंबर	हिस्सा नंबर	क्षेत्र	सर्वे नंबर	हिस्सा नंबर	क्षेत्र
		हे. आर. स. आर.			हे. आर. स. आर.			हे. आर. स. आर.
उसर	51	6 पार्ट 0	14	57	51	6 पार्ट 0	00	29

[सं.एल-14016/9/93 जीपी]

अर्धेन्दु सेन, निदेशक

CORRIGENDUM

New Delhi, the 6th December, 1993

S.O.2737:—To the Notification published in the Gazette of India Part 2 Section 3(2) S.O. 1713 dated 30-05-91, Corrigenda S.O. 2353 dated 05-09-91

Village	Read					In place of				
	S.No.	H.No.	Area			S.No.	H.No.	Area		
			H.	Are	C.Are			H.	Are	C.Are
Usar	51	6p	0	14	57	51	6p.	0	00	29

[No. L-14016/09/93 G.P.]

ARDHENDU SEN, Director

शुद्धि पत्र

नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2738—भारत सरकार के राजपत्र भाग 2 खण्ड 3(2) में प्रकाशित अधिसूचना सं. का.आ. 1712 दिनांक 30-5-91 शुद्धिपत्र सं. का.आ. 2353 दिनांक 5-9-91 में

गांव का नाम			पड़िये			के स्थान पर		
सर्वे नंबर	हिस्सा नंबर	क्षेत्र	सर्वे नंबर	हिस्सा नंबर	क्षेत्र	सर्वे नंबर	हिस्सा नंबर	क्षेत्र
		हे. आर. स. आर.			हे. आर. स. आर.			हे. आर. स. आर.
लोणारे	25	5 पार्ट	0	05	33	25	1 पार्ट	0 02 66
						25	2 पार्ट	0 02 67

[सं.एल-14016/9/93-जी.पी.]

अर्धेन्दु सेन, निदेशक

CORRIGENDUM

New Delhi, the 6th December, 1993

S.O. 2738:—To the Notification published in the Gazette of India Part 2 section 3(2) S.O. 1712 dated 30-05-91, Corrigenda S.O. 2353 dated 05-09-91

Village	Read					In Place of				
	S.No.	H.No.	Area			S.No.	H.No.	Area		
			H.	Are	C.Are			H.	Are	C.Are
Lonare	25	5p	0	05	33	25	1p.	0	02	66
						25	2p.	0	02	67

[No. L-14016/09/93 G.P.]

ARDHENDU SEN, Director

शुद्धिपत्र
नई दिल्ली, 6 दिसम्बर, 1993

का.आ. 2739.—भारत सरकार के राजपत्र में प्रसिद्ध हुई अधिसूचना नं. का.आ. 1706 दिनांक 30-5-91, शुद्धिपत्र नं. का.आ. 2353, दिनांक 5-9-91 में

गाँव का नाम	पड़िये					के स्थान पर				
	सर्वे नंबर	हिस्सा नंबर	क्षेत्र			सर्वे नंबर	हिस्सा नंबर	क्षेत्र		
			हे.	आर.	सं. आर.			हे.	आर.	सं. आर.
कुरुल	12	1 ए पार्ट	0	21	10	12	1-ए पार्ट	0	22	18
	12	1-बी पार्ट	0	05	50	12	1-बी पार्ट	0	02	82
	2	0 पार्ट	0	16	70	2	0 पार्ट	0	12	61
	85	5 पार्ट	0	07	30	85	5 पार्ट	0	02	52
	28	2 पार्ट	0	13	45	28	2 पार्ट	0	14	65
	28	1 पार्ट	0	01	20					
		कृपया मिलाइये और पड़िये								
	5	1-ए-1 पार्ट	0	00	30					
	5	1-ए-3 पार्ट	0	03	13					
	5	1-ए-2 पार्ट	0	15	50					
	79	2-बी + 3-बी पार्ट	0	06	40					
	79	2-बी + 3-ए पार्ट	0	02	58					
	85	8 पार्ट	0	03	60					

[गं. एन. 14016/9/93-जीसी]

अर्धेन्दु सेन, निदेशक

CORRIGENDUM

New Delhi, the 6th December, 1993

S.O. 2739.—To the Notification published in the Govt. of India's Gazette, S.O. 1706 dated 30-05-91, Corrigenda S.O. 2353 dated 05-09-91.

Village	Read					In place of				
	S.No.	H.No.	Area			S.No.	H.No.	Area		
			H.	Are	C. Are			H.	Are	C. Are
Karul	12	1-AP	0	21	10	12	1-AP.	0	22	18
	12	1-BP	0	05	50	12	1-BP	0	02	82
	2	0 P.	0	16	70	2	0 P.	0	12	61
	85	5 P.	0	07	30	85	5 P.	0	02	52
	28	2 P.	0	13	45					
	28	1 P.	0	01	20	28	2 P.	0	14	65
		ALSO ADD & READ								
	5	1-A-1 part	0	00	30					
	5	1-A-3 part	0	03	13					
	5	1-A-2 part	0	15	50					
	79	2-B + 3-B part	0	06	40					
	79	2-B + 3-A part	0	02	58					
	85	8 p.	0	03	60					

[No. L-14016/09/93-G.P.]
ARDHENDU SEN, Director

शुद्धि पत्र

नई दिल्ली, 6 दिसम्बर, 1993

का. प्रा. 2740.—भारत सरकार के राजपत्र भाग-II, खंड 3, उपखंड ii- से प्रकाशित हुई नौचि दिष्ट हुए अधिसूचनाओं में नीचे दिए हुए त्रुटियों के अनुसार परिवर्तन

क्र.सं.	ग्राम	राजपत्र दिनांक	पन्ना क्र.	का. प्रा. क्रमांक और दिनांक	अधिसूचना का कालम	परिष्कार			के स्थान पर			
						सर्वे क्रमांक	क्षेत्र		क्षेत्र			
							हे.	आर.		से. आर.		
1.	बोरोस	9/3/91	1170	का. प्रा. 699 6(1) 25/2/91	101/2-ए पार्ट	0	04	56	101/2-ए पार्ट	0	02	03
					101/3-ए पार्ट	0	01	57	101/3-ए पार्ट	0	07	07
					101/3 बी पार्ट	0	05	50				
2.	बेलकुडे	9/3/91	1181	का. प्रा. 706 6(1) 25/2/91	253 पार्ट 254 पार्ट	0	11	00 05	253 पार्ट	0	18	05
3.	चौल कुंडलिका नदी]	27/3/93	1021	का. प्रा. 648 3(1) 10/3/93	--	1	60	60	--	0	01	60

[सं. एन-14016/9/93/जी.पी.]

अर्धेन्दु सेन, निदेशक

CORRIGENDUM

New Delhi, the 6th December, 1993

S.O. 2740. The partial modification to the notifications published under Petroleum & Minerals pipelines Act, 1962 in the Govt. of India's Gazette as shown below (Part-II, Section-3, Sub-Section II) be read as per following table.

Sl. No.	Village	Page No.	Gazette Date	S.O. No. & Date	Notification under Section	Read			In place of				
						S.No.	Area		S.No.	Area			
							H	Are		C.Arc	H	Are	C.Arc
(1)	Boris	1171	9/3/91	S.O. 699 25-2-91	6(1)	101/2-A Part 101/3-A Part 101/3-B Part	0 0 0	04 01 05	56 57 50	101/2-A Part 101/3-A Part	0 0	02 07	03 07
(2)	Belkude	118	9/3/91	S.O. 706 25-2-91	6(1)	253 Part 254 Part	0 0	11 07	00 05	253 Part	0	18	05
(3)	Choul (Kundalika River).	1022	27/3/93	S.O. 648 10/3/93	3(1)	—	1	60	00		0	01	60

[No. L-14016/9/93-G.P.]

ARDHENDU SEN, Director

शुद्धि पत्र

नई दिल्ली, 6 दिसम्बर, 1993

का.घा. 2741.—भारत सरकार का राजपत्र दिनांक 15 जून, 1991 में प्रकाशित हुई कानून 6(1) की सीधे तुरान गांव की अधिसूचना क्रमांक का.घा. 1707 दिनांक 30 मई, 1991 में नीचे दिये हुये टेबल के अनुसार पढ़िये :

गांव का नाम	पन्ना क्रमांक	पढ़िये				के स्थान पर			
		क्षेत्र				क्षेत्र			
		सर्वे क्रमांक	हे.	आर.	सं. आर.	सर्वे क्रमांक	हे.	आर.	सं. आर.
तुडाल	2587	2/3 पार्ट	0	04	30	2/3 पार्ट	0	02	06
	2588	2/4-बी पार्ट	0	03	00	2/4-बी पार्ट	0	01	82
	2588	32/0 पार्ट	0	62	37	32/0 पार्ट	0	59	74

[सं. एन-14016/9/93- जी पी.]

अर्धेन्दु सेन, निदेशक

CORRIGENDUM

New Delhi, the 6th December, 1993

S.O.2741.—The partial modification to the notification published in Govt. of India's Gazette dated 15-6-1991, No. S.O. 1707, dated 30-5-1991 be read as per following table :

(Page No. of Gazette—2588, Notification under Section 6-1)

Village	Page No.	Read				In Place of			
		Sr. No.	Area			Sr. No.	Area		
			H	Are.	C.Are		H.	Are	C.Are
Tudal	2588	2/3 Part	0	04	30	2/3 Part	0	02	06
	2588	2/4-B Part	0	03	00	2/4-B Part	0	01	82
	2588	32/0 Part	0	62	37	32/0 Part	0	59	37

[F.No. L-14016/09/93-G.P.]

ARDHENDU SEN, Director

शुद्धि पत्र

नई दिल्ली, 6 दिसम्बर, 1993

का.घा. 2742 :—भारत सरकार के राजपत्र भाग II, खण्ड-3, उपखण्ड-(ii) में प्रकाशित हुई कानून 6(1) के नीचे दिये हुए अधिसूचनाओं में कॉलम 4 और 5 में पढ़िये :

गांव का नाम	का.घा. नंबर	राजपत्र दिनांक	पढ़िये				के स्थान पर			
			सर्वे नं. हिस्सा नं. प्लट नं.	क्षेत्र			सर्वे नं. हिस्सा नं. प्लट नंबर	क्षेत्र		
				हे.	आर.	सं. आ.		हे.	आर.	सं. आर.
				हे.	आर.	सं. आ.		हे.	आर.	सं. आर.
1	2	3	4				5			
बेरवी	2496	05-10-91	181	0	11	90	181	0	08	70
			7 पार्ट				7 पार्ट			
करल	1706	15-8-91	32	0	23	40	32	0	21	64
			2 पार्ट				2 पार्ट			
उसर	1713	15-6-91	51	0	14	57	51	0	00	29
			6 पार्ट				6 पार्ट			
			51	0	04	75	51	0	01	75
			11-बी पार्ट				11-बी पार्ट			

1	2	3	4	5
वरसोली	1710	15/6/91	280 0 02 40 10 पार्ट	280 0 00 08 10 पार्ट
चौल	1716	15/6/91	1642 0 14 27 पार्ट 1654 पार्ट 0 10 48 2773/ 0 34 10 38 पार्ट	1642 0 08 27 पार्ट 1654 पार्ट 0 01 48 2773 0 07 30 38 पार्ट

[सं. एम./14016/9/93-ओ.पी.0]

अर्धेन्दु सेन, निदेशक

CORRIGENDUM

New Delhi, the 6th December, 1993

S.O. 2724.—The partial modification to the notification published in Govt. of India's Gazette, Part-II, Section 3, sub-section (ii) as shown below be read as per following table.

Village	S.O. No.	Gazette Date	Read	In place of					
				S.No. H.No. G.No.		Area		S.No. H.No. G.No.	
				H.R.		C.R.		H.R.	
Vishvi	2496	05/10/91	181 7 Part	0	11	90	181 7 Part	0	08 70
Kural	1706	15/6/91	32 2 Part	0	23	40	32 2 Part	0	21 64
Usar	1713	15/6/91	51 6 Part	0	14	57	51 6 Part	0	00 29
			51 11-B Part	0	04	75	51 11-B Part	0	01 75
Varsoli	1710	15/6/91	280 10 Part	0	02	40	280 10 Part	0	00 08
Choul	1716	15/6/91	1642 part	0	14	27	1642 Part	0	08 27
			1654 Part	0	10	48	1654 Part	0	01 48
			2773/38 Part	0	34	10	2773/38 Part	0	07 30

[No. L-14016/09/93/G.P.]

ARDHENDU SEN, Director

शुद्धि पत्र

नई दिल्ली, 6 दिसम्बर, 1993.

का.प्र. 2743 :—भारत सरकार के असाधारण राजपत्र दिनांक 29 मई, 1992 में प्रकाशित हुई अधिसूचना का.प्र. 380-ई दिनांक 29 मई, 1992 में नीचे दिये हुए टेबल के अनुसार पढ़िये :—

गाँव का नाम	सर्वे नंबर	हिस्सा नंबर	पढ़ें			के स्थान पर		
			क्षेत्र			क्षेत्र		
			हे.	घार	सं. घार	हे.	घार	सं. घार
बोरीस	23	5-ए/पार्ट	0	02	40	23	5-ए पार्ट	0 07 40
	23	5-बी पार्ट	0	00	50			

[सं. एल-14016/9/93-ओ.पी.0]

अर्धेन्दु सेन, निदेशक

CORRIGENDUM

New Delhi, the 6th December, 1993

S.O. 2743.—The partial modification to the notification published in Govt. of India's extra ordinary Gazette dated 29-5-1992, S.O. No. 380-E, dated 29-5-1992 be read as per following table:

Village	Survey No.	Read	Area	In place of					
				Hissa No.		S.No. Hissa No.		Area	
				H.	Are	CR	H.	Are	CR
Boris	23	5-A Part	0 02 40	23	5-A	0 07 40			
	23	5-B part	0 00 50						

[No. L-14016/9/93-G.P.]

ARDHENDHU SEN, Director

नई दिल्ली, 7 दिसम्बर, 1993

New Delhi, the 7th December, 1993

का. भा. 2744—जहाँकि केन्द्रीय सरकार यह अनुभव करती है कि गार्वन्टिक हित में यह आवश्यक है कि पेट्रोलियम पार्श्व एवं प्राकृतिक गैस लाइने के लिए एच. बी. जे. पाइपलाइन परियोजना के अन्तर्गत एक पाइप लाइन गैस अथॉरिटी आफ इंडिया लिमिटेड द्वारा बिछाई जानी है।

और यह भी अनुभव करती है कि उस कार्य के लिये इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता के अधिकार ग्रहण करने की संज्ञा की घोषणा करती है।

भारत कि उपर भूमि में अपनी रूचि रखने वाले कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी, गैस अथॉरिटी आफ इंडिया लि. एच. बी. जे. पाइप लाइन परियोजना विकासधी बिस्वस, 22-स्टेशन रोड, लखनऊ-226019, उ. प्र. में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निविष्ट करना होगा कि वह व्यक्तिगत रूप में अपना विधि व्यवसायिक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूचक काद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परागना	ग्राम	गाँव संख्या	खेतीफल	विवरण
						होते में
1	2	3	4	5	6	7
कानपुर	कानपुर	कानपुर	सनिगावा	271/3	0-3-00	
नगर	नगर	नगर				

[सं. हज 14016/13/93-जी पी]

सर्वेन्द्र सेन, निदेशक

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in bigha	Remarks
Kanpur City	Kanpur City	Kanpur City	Saniagawan	271/3	0 3 0	

[No. L-14016/13/93-G.P. 2]
ARDHENDU SEN, Director,

नई दिल्ली, 7 दिसम्बर, 1993

का. भा. 2745.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. भा. सं. 637 तारीख 10-3-93 द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अन्तर्गत सरकार को रिपोर्ट दे दी है।

S.O. 2744.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas of HBJ pipeline project a pipeline should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (i) of the section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., HBJ Project, Vikas Deep Building, 22-Station Road, Lucknow-226019, P.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए अर्जित किया जाता है।

और आगे उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निदेश दे देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के अन्तर्गत भारतीय

गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूचक वाद अनुसूची

एच बी० जे० गैस पाइप लाइन प्रोजेक्ट

जनपद तहसील	परगना	ग्राम	गाटा नं०	क्षेत्रफल वर्ग मी० में	विवरण
1	2	3	4	5	6
बरेली	आवला	हाथाल	महतिथा	479	0-1-0
			रांरी	494	0-4-15
				500	0-1-0
				499	0-7-0
				498	0-2-0
				495	0-4-0
				6	0-19-15

[सं. एल-14016/13/93 जी. सी.]

अर्थी सेन, निदेशक

New Delhi, the 7th December, 1993

S.O. 2745.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 637 dated 10-3-93 under sub-section (1) of

Supplementary Case (Schedule)
H.B.J. Gas Pipeline Project

District	Tehsil	Pargana	Village	Plot No.	Area in Bigha	Remarks
Bareilly	Aonla	Aonla	Mahtiya Dandi	497	0-1-0	
				494	0-4-15	
				500	0-1-0	
				499	0-7-0	
				498	0-2-0	
				495	0-4-0	
				6	0-19-15	

[No. L-14016/13/93 GP]

Ardheddu Sen Director

नई दिल्ली, 7 दिसम्बर, 1993

का. भा. 2746—यह पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की धारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का भा. म. 638 तारीख 10-3-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइप लाइनों का बिछाने के लिए अर्जित करने का अपना प्राण्य घोषित कर दिया था।

और यह सभ्य प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आने वाले केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And further whereas the Central Government Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

और आने वाले धारा की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निदेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाये भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूचक वाद अनुसूची

एच बी जे गैस पाइप लाइन प्रोजेक्ट

जनपद तहसील	परगना	ग्राम	गाटा नं०	क्षेत्रफल विवरण
1	2	3	4	5
इटावा	ओरैया	ओरैया	मानेपुर	284
				0.44

[सं. एल/14016/13/93 जी सी]

अर्थी सेन, निदेशक

New Delhi, the 7th December, 1993

S.O. 2746.—Whereas by notification of the Government of India in the Ministry of Petroleum, S.O. 638 dated 10-3-1993 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (J) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to

acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration the Gas Authority of India Limited free from all encumbrances.

SUPPLEMENTARY CASE (SCHEDULE)

H.B.J. GAS PIPELINE PROJECT

District	Tehsil	Pargana	Village	Plot No.	Area in acres	Remarks
Etawah	Auriya	Auriya	Aneypur	284	0.44	

[No. L-14016/13/93-G.P.]

Ardhendu Sen, Director

नई दिल्ली, 7 दिसम्बर, 1993

का.आ. 2747.—यतः पेट्रोलियम और खनिज पाइप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की प्रांग 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का.आ.सं. 1022 तारीख 6-5-89 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाईनों को बिछाने के लिए अर्जित करने का अपना आग्रह घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाईन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने निहित होने के बजाय भारतीय गैस प्राधिकरण लिमिटेड में

सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

एच.बी.जे. गैस पाइप लाईन प्रोजेक्ट

ग्राम का नाम मोहनकोट तहसील : पेटवावद

जिला : झुझार राज्य : म.प.

अनुसूची

अनु. क्र.	खसरा.नं०	उपयोग अधिकार अर्जन क्षेत्र (हेक्टेर्स में)
1	2	3
1.	228	0.082
कुल क्षेत्रफल	1	0.082

[सं. एन-14016(13) 93 जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 7th December, 1993

S.O. 2747.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 1022 dated 6-5-89 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (I) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Limited free from all encumbrances.

**GAS AUTHORITY OF INDIA LIMITED
HBJ GAS PIPELINE PROJECT**

Village : Mohankot Tehsil : Patawad Distt. Jhabua
State : M.P.

SCHEDULE

Sl. No.	Survey No.	Area to be acquired for R.G.L. (In Hectares)
1.	228	0.082
Total Area		0.082

[No. I-14016/13/93 G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 7 दिसम्बर, 1993

का.आ. 2748.— यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना कां.आ.सं. 2712 तारीख 28-10-89 द्वारा केन्द्रीय सरकार ने उस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिये अर्जित करने का अपना आशय घोषित कर दिया था

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, या: केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब शतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग

का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे उन धारा की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने विनिर्दिष्ट होने के बजाय भारतीय गैस प्राधिकरण लिमिटेड से सभी बाधाओं से मुक्त रूप से, योजना के प्रकाशन की इस तारीख की निहित होगी।

एल.बी.जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम : महुवापुरी तहसील : ईलाहाबाद जिला : गुना

राज्य : मध्य प्रदेश

अनुसूची

अनु.सं.	खसरा नं.	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टेर्स में)
1.	293	0.042
कुल क्षेत्रफल		1 0.042

[सं. एल-14016(13) 93 जी.पी.]

अर्जेंदु सेन, निदेशक

New Delhi, the 7th December, 1993

S.O. 2748.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 2712 dated 28-10-89 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (I) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Limited free from all encumbrances.

GAS AUTHORITY OF INDIA LIMITED
HBJ GAS PIPELINE PROJECTVillage : Rusallakhurd, Tehsil : Isagram; Distt : Guna
State : M.P.

SCHEDULE

Sl. No.	Survey No.	Area to be acquired for R.O.U. (in Hectares)
1.	293	0.042
Total area		0.042

[No. I-14016/13/93-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 7 दिसम्बर, 1993

का. आ. 2749.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ. सं. 2713 तारीख 28-10-89 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था ;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है ;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार में निहित होने के बावजूद भारतीय गैस प्राधिकरण लिमिटेड में सभी बाधाओं के मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगी ;

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम - आमखेडा उर्फ नई सराय तहसील - ईसागढ़
जिला-गुना राज्य - मध्य प्रदेश

अनुसूची

अनु. क्र.	खसरा नं.	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर में)
1	2	3
1.	315	0.047
कुल क्षेत्रफल		0.047

[सं. एल - 14016/13/93 - जी. पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 7th December, 1993

S.O. 2749.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 2713 date 28-10-89 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Limited free from all encumbrances.

GAS AUTHORITY OF INDIA LIMITED
HBJ GAS PIPELINE PROJECTVillage : Amkheda Alias Nai Sarai Tehsil : Isagarh
Distt : Guna State : M.P.

SCHEDULE

Sl. No.	Survey No.	Area to be acquired for R.G.U. (in Hectares)
1.	315	0.047
Total Area		0.047

[No. I-14016/13/93-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 7 दिसम्बर, 1993

New Delhi, the 7th December, 1993

का. आ. 2750.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ. सं. 1561 तारीख 8-7-89 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था ;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है ;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लिमिटेड में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा ।

एच. बी. जे गैस पाइप लाइन प्रोजेक्ट

ग्राम—नरगढ़; तहसील—दतिया; जिला—दतिया राज्य—मध्य प्रदेश

अनुसूची

अनु. क्र.	खसरा नं.	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर्स में)
1	2	3
1.	136/1	0.016
2.	138/1A	0.061
3.	143/1	0.019
कुल क्षेत्रफल—3		0.095

[सं. एल—14016/13/93—जी. पी.]
अर्धेन्दु सेन, निदेशक

S.O. 2750.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 1561 dated 8-7-89 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (i) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

GAS AUTHORITY OF INDIA LIMITED

HBJ GAS PIPELINE PROJECT

Village : Nargarh Tehsil : Datia District : Datia
State : M.P.

SCHEDULE

Sl. No.	Survey No.	Area to be acquired for R.O.U. (in Hectare)
1.	136/1	0.016
2.	138/1C	0.061
3.	143/1	0.018
Total area		0.095

[No. L-14016/13/93-G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 7 दिसम्बर, 1993

का. आ. 2751.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ. सं. 2175 तारीख 9-9-89 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था ;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्-द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लिमिटेड में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम:-कुमारियाछेलवारी तहसील:-दतिया जिला:-दतिया राज्य:-
मध्य प्रदेश

अनुसूची

अनु. क्रं.	खसरा नं.	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर्स में)
1	2	3
1.	465	0.450
2.	471	0.030
3.	472	0.120
4.	474	0.030
5.	473	0.450
6.	475	0.010
7.	454	0.030
8.	459	0.172
9.	460	0.050
10.	444/1	0.100
11.	444/2	0.450
12.	449	0.500
13.	450	0.080
14.	451	0.030
15.	453	0.040
कुल क्षेत्रफल :-15		2.542

[सं. एल - 14016/13/93 जीपी]

अर्धेन्दु सेन, निदेशक

New Delhi, the 7th December, 1993

S.O. 2751.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 2175 dated 9-9-89 under sub-section (1) of

Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

GAS AUTHORITY OF INDIA LIMITED

HBJ GAS PIPELINE PROJECT

Village : Kumaria Chhailvari Tehsil : Datia Distt : Datia
State : M.P.

SCHEDULE

Sl. No.	Survey No.	Area to be acquired for R.D.U. (in hectares)
1.	465	0.450
2.	471	0.030
3.	472	0.120
4.	474	0.030
5.	473	0.450
6.	475	0.010
7.	454	0.030
8.	459	0.172
9.	460	0.050
10.	444/1	0.100
11.	444/2	0.450
12.	449	0.500
13.	450	0.080
14.	451	0.030
15.	453	0.040
TOTAL AREA		2.542

[No. L-14016/13/93-G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 7 दिसम्बर, 1993

का.आ. 2752—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ सं. 2174 तारीख 9-9-89 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लिमिटेड में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट
ग्राम-कुशलों तहसील-करेरा जिला-शिवपुरी राज्य-मध्य-प्रदेश

अनुसूची

अनु. क्र. खसरा नं. उपयोग अधिकार अर्जन का क्षेत्र (हेक्टेर्स में)

1	2	3
1.	21/3 } 21/4 } 21/5 } 21/6 }	0.600
2.	35	0.242
3.	36	0.197
4.	63	0.145
5.	64/1	0.077
6.	66/2	0.032
7.	62 } 58/1 }	0.275
8.	61/1	0.200
9.	59 } 60 }	0.185
10.	46/3	0.063
11.	109	0.275
12.	110	0.155
13.	116 } 117 }	0.485
14.	118	0.021
15.	121	0.097

16.	122	0.418
17.	133	0.063
18.	130/2	0.073
19.	131	0.008
20.	141	0.384
21.	140	0.021
22.	158/1	0.021
23.	159/2	0.209
24.	161/1	0.266
25.	170	0.292
26.	171	0.045
27.	172	0.087
28.	130/3	0.394

योग :- 34 5.330

[सं. एल - 14016/13/93 - जीपी]

अर्धेन्दु सेन, निदेशक

New Delhi, the 7th December, 1993

S.O. 2752.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 2174 dated 9-9-89 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

GAS AUTHORITY OF INDIA LIMITED

HBJ GAS PIPELINE PROJECT

Village : Kuchlon Tehsil : Karela Distt : Shivpuri
State : M.P.

SCHEDULE

Sl. No.	Survey No.	Area to be acquired for R.D.U. (in Hectares)
1.	21/3 } 21/4 } 21/5 } 21/6 }	0.600
2.	35	0.242
3.	36	0.197
4.	63	0.145
5.	64/1	0.077
6.	66/2	0.032
7.	62 } 58/1 }	0.275
8.	61/1	0.200
9.	59 } 60 }	0.185
10.	46/3	0.063
11.	109	0.275
12.	110	0.155
13.	116 } 117 }	0.485
14.	118	0.021
15.	121	0.097
16.	122	0.418
17.	133	0.063
18.	130/2	0.073
19.	131	0.008
20.	141	0.384
21.	140	0.021
22.	158/1	0.021
23.	159/2	0.209
24.	161/1	0.266
25.	170	0.292
26.	171	0.045
27.	172	0.087
28.	130/3	0.394
Total Area		5.330

[No. L-14016/13/93-G.P.]
ARDHENDU SFN, Director

नई दिल्ली, 7 दिसम्बर, 1993

का. आ. 2753—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ. सं. 2173 तारीख 9-9-89 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आग्रह घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लिमिटेड में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम — गोरखपुरा तहसील — राजगढ़ जिला राजगढ़ राज्य
मध्य प्रदेश

अनुसूची

अनु. क्र.	खसरा नं.	उपयोग अधिकार अर्जन क्षेत्र (हेक्टर्स में)
1	2	3
1.	476/3	0.016
2.	553	0.094
कुल क्षेत्रफल :- 2		0.110

[सं. एल - 14016/13/93 - जीपी]
अर्धेन्दु सेन, निदेशक

New Delhi, the 7th December, 1993

S.O. 2753.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 2173 dated 9-9-89 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under Sub-Section (i) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

**GAS AUTHORITY OF INDIA LIMITED
HBJ GAS PIPELINE PROJECT**

Village : Gorakhpura Tehsil : Rajgarh Distt. : Rajgarh
State : M.P.

Sl. No.	Survey No.	Area to be acquired for R.D.U. (in hectares)
1.	476/3	0.016
2.	553	0.094
Total Area		0.110

[No. L-14016/13/93-G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 7 दिसम्बर, 1993

का. आ. 2754 :—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ सं. 1563 तारीख 8-7-89 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अवधि अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लिमिटेड में सभी

बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

एच. बी. जे गैस पाइप लाइन प्रोजेक्ट

ग्राम - पिरोत तहसील -
मध्य प्रदेश

जिला - शिवपुरी राज्य -

अनुसूची

अनु. क्र. खसरा नं. उपयोग अधिकारी अर्जन का क्षेत्र (हेक्टेर्स में)

1	2	3
1.	1187	0.069
2.	1188	0.006
कुल क्षेत्रफल - 2		0.075

[सं. एल - 14016/13/93 - जीपी]
अर्धेन्दु सेन, निदेशक

New Delhi, the 7th December, 1993

S.O. 2754.—Whereas by notification of the Government of India in the Ministry of Petroleum and S.O. 1563 dated 8-7-89 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under Sub-Section (i) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after Considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE
GAS AUTHORITY OF INDIA LIMITED
HBJ GAS PIPELINE PROJECT

Village : Piroath Tehsil : Kolaras Distt. : Shivpur State : M.P.

Sl. No.	Survey No.	Area to be acquired for R.G.U. (in Hectares)
1.	1187	0.069
2.	1188	0.006
Total Area		0.075

[No. L-14016/13/93-G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 7 दिसम्बर, 1993

कां.आ. 2755.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना कां.आ.सं. 1565 तारीख 8-7-89 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार का पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लिमिटेड में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

एच०वी०जे० गैस पाइप लाइन प्रोजेक्ट

ग्राम : अहीरखेडी तहसील—राधोगढ़ जिला—गुना राज्य —मध्य प्रदेश

अनुसूची

अनु० क्र०	खसरा नं०	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर्स में)
1	2	3
1.	232	0.021
2.	219	0.076
3.	233	0.314
4.	234	0.516
5.	213/1	0.805
6.	119	0.076
7.	216/1	0.115
8.	200	0.285
9.	189/2	0.345
10.	191	0.167
11.	146	0.105
12.	192	0.376
13.	195	0.042
14.	216/2	0.240
कुल क्षेत्रफल : 14		3.483

[सं. एल-14016/13/93-जी०पी०]
अर्धेन्दु सेन, निवेशक

New Delhi, the 7th December, 1993

S.O. 2755.—Whereas by notification of the Government of India in the Ministry of Petroleum and S.O. 1565 dated 8-7-89 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under Sub-Section (i) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after Considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands

shall instead of vesting in Central Government on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

**GAS AUTHORITY OF INDIA LIMITED
HBJ GAS PIPELINE PROJECT**

Village : Ahirkh d Tehsil : Raghogarh Distt. : Guna
State : M.P.

SCHEDULE

S.No.	Survey No.	Area to be acquired for R.D.U. (in Hectares)
1.	232	0.021
2.	219	0.076
3.	233	0.314
4.	234	0.516
5.	213/1	0.805
6.	119	0.076
7.	216/1	0.115
8.	200	0.285
9.	189/2	0.345
10.	191	0.167
11.	146	0.105
12.	192	0.376
13.	195	0.042
14.	216/2	0.240
Total Area		3.408

[No. L-14016/13/93-G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 7 दिसम्बर, 1993

का०आ० 2756.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का०आ०सं० 1562 तारीख 8-7-89 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लिमिटेड में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

एच०जी०के० गैस पाइप लाइन प्रोजेक्ट

ग्राम—जयसिंगपुरा जिला—गुना		तहसील—बघौड़ा राज्य—मध्य प्रदेश
अनुसूची		
अनु० क्र०	खसरा न०	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर्स में)
1	2	3
1.	13	0.010
2.	14/1/1	0.015
3.	14/2	0.107
4.	15/1	0.065
कुल क्षेत्रफल : 4		0.0197

[स० एल- 14016/13/93-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 7th December, 1993

S.O. 2756.—Whereas by notification of the Government of India in the Ministry of Petroleum and S.O. 1562 dated 8-7-89 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under Sub-Section (i) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after Considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government on

this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

GAS AUTHORITY OF INDIA LIMITED

HBJ GAS PIPELINE PROJECT

Village : Jaysinghpura Tehsil : Chachda District : Guna
State : M.P.

SCHEDULE

Sl. No.	Survey No.	Area to be acquired for RDU (in Heactares)
1	2	3
1.	13	0.010

[No. L-14016|13|93-G.P.]

ARDHENDU SEN, Director

शक्ति-पञ्च

नई दिल्ली, 7 दिसंबर, 1993

का.प्र. 2757--भारत सरकार के राजपत्र भाग II खंड 3 उपखंड ii में प्रकाशित हुई विभिन्न अधिवृत्तियों में निम्न दिए हुए तर्कों के अनुसार पढ़िये

अधिसूचना का तपशील				पड़िये		के स्थान पर	
ग्राम	कालम	राजपत्र/ दिनांक	का आ क्रमांक और दिनांक	सबै/गट क्रमांक	क्षेत्र	सबै/गट क्रमांक	क्षेत्र
1	2	3	4	5	6	7	8
बाम गांव	6	15-6-91	1711	431	0-05-32	431	0-04-00
			30-5-91				
				428	0-01-32	428	0-04-24
				430	0-06-65	430	0-09-00
				460	0-11-55	460	0-15-35
बहाल बुद्धक	6	15-6-91	1715	249	0-13-55	249	0-07-05
			30-5-91				
				247	0-09-29	247	0-02-29
				242	0-00-17	242	0-02-17
				बी		बी	
				241	0-20-65	241	0-19-65
				250	0-07-06	250	0-11-06
				—	0-00-00	188	0-00-87
				187	0-09-72	187	0-08-35
देवघर	6	15-6-91	1718	44	0-51-20	44	0-044-85
			30-5-91				
				117	0-03-50	117	0-08-90
				125	0-11-80	125	0-05-80
				353	0-10-00	353	0-05-81
				बी		बी	
				320	0-09-81	320	0-11-81
बरसोनी	6	15/6/91	1710	280	0-10-30	280	0-09-85
			30-5-91	7		7	
				274	0-18-76	274	0-11-47
				1		1	

1	2	3	4	5	6	7	8
				280	0-02-80	280	0-06-20
				8		8	
				280	0-00-27	280	0-03-99
				11		11	
				280	0-00-74	280	0-04-32
				12		12	
				38/0	0-08-40	38/0	0-11-47
				275	0-15-00	275	0-45-88
				1-ए	0-29-40	1	
				275			
				1-बी			
काबीर	6	15-6-91	1708	13	0-21-62	13	0-17-00
		30-5-91		14	0-07-91	14	0-12-53
				206-बी	0-01-00	206	0-04-59
				196-ए	0-04-70	196	0-05-92
				196-बी	0-01-22		
				201	0-00-54	—	0-00-00
	6	29-5-92	384-(ई)	3-बी	0-15-93	3	0-17-04
		29-5-92					
बामणोली	6	15-6-91	1705	13/0	0-09-60	13/0	0-06-94
		30-5-91					
सहाण	6	15-6-91	1709	—	0-00-00	151	0-01-50
		30-5-91		326	0-21-36	326	0-26-72
				388	0-00-37	388	0-02-95
				329	0-00-20	329	0-00-02
	6	29-5-92	372(ई)	327	0-04-20	327	0-07-56
		22-5-92		316	0-06-08	316	0-06-80
खानाव	6	15-6-91	1719	68/11	0-00-10	68/11	0-01-01
		30-5-92		68/9	0-10-23	68/9	0-14-23
				—	0-00-00	64/8	0-00-05
	6	20-6-92	1625	66/3-ए	0-10-70	66/3	0-14-50
		5-6-92		66/3-बी	0-03-80	ए	
				75/1	0-09-50	75/1	0-10-40
				83/0	0-15-56	83/0	0-16-00
	3	13-6-92	1553	—	—	96/3	0-00-60
		1-6-92		3/1	1-26-18	3/1	0-05-50

1	2	3	4	5	6	7	8
भाल	6	9-3-91	702 ----- 35-2-91	5/1 5/2 2/1बी1 2/1बी2	0-05-15 } 0-11-20 } 0-16-63 } 0-03-00 }	5/1 2/1बी1	0-16-35 0-19-63
मान लफ़ किराड	6	9-3-91	704 ----- 25-2-91	83/ए13 83/13बी 83/11बी	0-07-55 } 0-06-25 } 0-09-62 }	83/13ए 83/11ए	0-13-80 0-09-62
						2	
बेहरे	6	9-3-91	705 ----- 25-2-91	52/2बी 52/6	0-13-80 0-06-70	52/2बी 52/6	0-14-09 0-08-97
	3	13-6-92	1555 ----- 1-6-92	52/4 52/2ए	0-12-40 0-03-10	54/4 52/2ए	0-13-20 0-02-60
बोरीस	6	9-3-91	699 ----- 25-2-91	101/ 1ए1/2 101 1बी/2 13/1	0-11-10 } 0-05-60 }	101 1ए1/1	0-16-70
बेलकडे	6	9/3/91	706 ----- 25-2-91	300 259 254 223 224 225 226 244 367/1 367/2 ----- 212	0-01-15 0-04-08 0-08-20 0-05-30 0-03-48 0-09-52 0-13-04 0-00-57 0-10-60 } 0-02-42 }	300 259 254 223 224 225 226 244 367/1 380 212	0-00-47 0-02-98 0-05-53 0-03-95 0-03-02 0-06-01 0-10-84 0-02-57 0-13-02 0-01-08 0-09-97
	3	13-6-92	1556 ----- 1-6-92	25 297 293	0-03-15 0-03-12 0-01-87	28 297 293	0-02-70 0-02-60 0-01-60
गुंजीस	6	9-3-91	700 ----- 25-2-91	35/2 34/ए 12-ए 34/ए ----- 12बी/1ए 34/ए ----- 12बी/2ए	0-06-22 0-17-14 } 0-04-00 } 0-04-35 }	35/2 34-ए 12-ए	0-09-72 0-25-49
	6	28-12-91	3188 ----- 17-12-91	34/7 33/1	0-00-96 0-02-00	33/1	0-02-96

1	2	3	4	5	6	7	8
घेयवी	6	5-10-91	2496	181/8	0-04-30	181/8	0-08-42
			15A/4	0-03-80	34/1B1	0-03-82	
		19-9-91			34/1B2		
पुवाल	6	9-3-91	1707	2/4A	0-00-75	2/4A	0-03-00
			34/2	0-12-70	34/2	0-13-74	
		25-2-91	34/1	0-01-40	—	—	
कुचल	6	15-6-91	1708	28/2	0-07-70	28/2	0-14-65
			28/0	0-05-30	28/0	0-06-52	
		30-5-91	3/1	0-05-80	3/1	0-08-19	
सालाव	3	3-10-92	2516	8/0	0-08-30	8/0	0-09-00
			60/0	0-45-40	66/0	0-15-40	
		16-9-92	80/0	0-07-50	80/0	0-01-90	
बील	6	15-6-91	1716	1795	0-20-45	1795	0-13-45
			1796	0-10-73	1796	0-01-73	
		30-5-91	1643	0-00-30	1643	0-00-03	
			1658	0-00-15	—	—	
			1784	0-15-70	1785	0-15-70	
			1783	0-07-65	1784	0-07-65	
			—	—	2773/1	0-12-37	
बील	6	15-6-91	1716	2773/4	0-15-40	2773/4	0-07-20
			2773/2	0-14-00	2773/2	0-17-40	
		30-5-91	2773/8	0-04-40	—	—	
			2773/5	0-08-20	2773/5	0-04-00	
			2773/38	0-17-00	2773/38	0-07-30	
			2773/31	0-10-60	2773/31	0-29-60	
			2773/36	0-06-00	2773/36	0-10-00	
	3	20-6-92	1622	2773/50	0-00-60	2773/50	0-00-90
		5-6-92					

[सं एल-014016/13/93-जी०पी०]

अर्धेन्दु सेन, निदेशक

CORRIGENDUM

New Delhi, 7th December, 1993

S.O. 2757. --The partial modification to the notification published in Govt. of India's Gazette, Part-II, Section-3, Sub-section-(ii) as shown below be read as per following table.

Village	Details of Notification			Read		In place of	
	Under Section	Gazette dated	S.O. No. & date	S. No. G.No.	Area	S. No. G. No.	Area
Bamangaon	6	15/6/91	1711	431	0-05-32	431	0-04-00
			30/5/91	428	0-01-32	428	0-04-24
				430	0-06-65	430	0-09-00
				460	0-11-55	460	0-15-35
				249	0-13-55	249	0-07-05
Vadhav Budruk	6	15/6/91	1715	247	0-09-29	247	0-02-29
			30/5/91	242-B	0-00-17	242-B	0-02-17
				241	0-20-65	241	0-19-65
				250	0-07-06	250	0-11-06
				—	0-00-00	188	0-00-87

1	2	3	4	5	6	7	8
Deoghar	6	15/6/91	1718	187	0-09-72	187	0-08-85
				44	0-51-20	44	0-44-85
				30/5/91	117	0-03-50	117
				125	0-11-80	125	0-08-90
Varsol	6	15/6/91	1710	353-B	0-10-00	353-B	0-05-80
				320	0-09-81	320	0-05-81
				280	0-10-30	280/7	0-11-81
				30/5/91	7		0-09-85
				274	0-18-76	274/1	
				1			0-11-47
				280	0-02-80	280/8	0-06-20
				8			
				280	0-00-27	280/11	0-03-99
				11			
				280	0-00-74	280/12	0-04-32
				12			
Kavir	6	15/6/91	1708	38/0	0-08-40	38/0/0	0-11-47
				275	0-15-00	275	0-45-88
				1-A			
				275	0-29-40		
				1-B			
				13	0-21-62	13	0-17-00
				30/5/91	14	0-07-91	14
				206-B	0-01-00	206	0-12-53
				196-A	0-04-70		0-04-59
				196-B	0-01-22	196	0-05-92
				201	0-00-54	—	0-00-00
				6	0-15-93	3	0-17-04
Bamnoli	6	15/6/91	1705	29/5/92			
				30/5/91	13/0	0-09-60	13/0
				1709	0-00-00	151	0-06-94
Sahan	6	15/6/91	1709	30/5/91	326	0-21-36	326
					388	0-00-37	388
					329	0-00-20	329
				6	0-04-20	327	0-02-95
Khanav	6	15/6/91	1719	372(E)	0-00-02		0-00-02
				22/5/92	0-06-08	316	0-07-56
				1719	0-10-23	68/9	0-06-80
				30/5/92	0-00-10	68/11	0-13-23
					0-00-00	64/8	0-00-01
				6	0-10-70		0-00-05
				20/6/92	66/3-A	66/3-A	0-14-50
				5/6/92	0-03-80		
					75/1	75/1	0-10-40
					83/0	83/0	0-10-00
				3	—	96/3	0-00-60
				13/6/92	1553		
Bhai	6	9/3/91	702	1/6/92	3/1	1-26-18	3/1
					5/1	0-05-15	
				25/2/91	5/2	0-11-20	5/1

1	2	3	4	5	6	7	8
Man terf Zirad	6	9/3/91	704	2/1B1 2/1B2 83/A13	0-16-63 0-03-00 0-07-55	2/1B1	0-19-63
			25/2/91	83/13B 83/11B	0-06-25 0-09-62	83/13A 83/11A/2	0-13-80 0-09-62
Chendhrie	6	9/3/91	705	52/2B	0-13-80	5/2-B	0-14-09
			25/2/91	52/6	0-06-70	52/6	0-08-97
	3	13/6/92	1555	52/4	0-12-40	54/4	0-13-20
Boris	6	9/3/91	1/6/92 699	52/2A 101/	0-03-10 0-11-10	52/2A 101	0-02-60 0-16-70
			25/2/91	1A1/2 101	0-05-60	1A1/1	
				1B2/2 13/1		13/1	0-01-20
Belkade	6	9/3/91	706	300	0-01-15	300	0-00-47
			25/2/91	259	0-04-98	259	0-02-98
				254	0-08-20	254	0-05-53
				223	0-05-30	223	0-03-95
				224	0-03-48	224	0-03-02
				225	0-09-52	225	0-06-01
				226	0-13-04	226	0-10-84
				244	0-00-57	244	0-02-57
				367/1	0-10-60		
				367/2	0-02-42	367/1	0-13-02
				212	0-07-27	380	0-01-08
	3	13/6/92	1556	25	0-13-15	212	0-09-97
			1/6/92	297	0-03-12	297	0-02-60
Gunjis	6	9/3/91	700	35/2	0-01-87 0-06-22	293 35/2	0-01-60 0-09-72
			25/2/91	34/A	0-17-14		
				12-A			
				34/A	0-04-00	34-A	0-25-49
				12B/1A		12-A	
				34/A	0-04-35		
	6	28/12/91	3188	12-B/2A 34A/7	0-00-96		
			17-12-91	33/1	0-02-00	33/1	0-02-96
Veshvi	6	5/10/91	2496	181/8	0-04-30	181/8	0-08-42
			19/9/91	15A/4	0-03-80	34/1B1 34/1B2	0-03-82
Tudal	6	9/3/91	1707	2/4-A	0-00-75	2/4-A	0-03-00
			25/2/91	34/2	0-12-70	34/2	0-13-74
				34/1	0-01-40		
Kurul	6	15/6/91	1706	28/2	0-07-70	28/2	0-14-65
			30/5/91	26/0	0-05-30	26/0	0-06-52
				3/1	0-05-80	3/1	0-08-19
Salav	3	3/10/92	2516	8/0	0-08-30	8/0	0-09-00
			16/9/92	66/0	0-45-40	66/0	0-15-40
				80/0	0-07-50	80/0	0-01-90

1	2	3	4	5	6	7	8
Choul	6	15/6/91	1716 — 30/5/91	1795 1796 1643 1658 1784 1783 — 2773/4 2773/2 2773/8 2773/5	0-20-45 0-10-73 0-00-30 0-00-15 0-15-70 0-07-65 — 0-15-40 0-14-00 0-04-40 0-08-20	1795 1796 1643 — 1785 1784 2773/1 2773/4 2773/2 — 2773/5	0-13-45 0-01-73 0-00-03 — 0-15-70 0-07-65 0-12-37 0-07-20 0-17-40 — 0-04-00
Choul	6	15/6/91	1716 — 30/5/91	2773/38 2773/31 2773/36 2773/50	0-17-00 0-10-60 0-06-00 0-00-60	2773/38 2773/31 2773/36 2773/50	0-07-30 0-29-60 0-10-00 0-00-90
	3	20/6/92	1622 — 5/6/92				

[No. L-014016/13/93 G.P.]
ARDHENDU SEN, Director

अनुसूची

नई दिल्ली, 13 दिसम्बर 1993

का. भा. 2758—केन्द्रीय सरकार ने, पेट्रोलियम और नैचुरल गैस पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) (जिसी इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. भा. 219 तारीख 06 फरवरी, 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अर्जों की शोधना की थी,

और राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 28 फरवरी 1993 को उपलब्ध करा दी गई थी,

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में ~~उक्त~~ प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित करने की शोधना करती है।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित करने की शोधना करती है।

यह और कि केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए सभी क्लियरिंगों से मुक्त इंडियन आयल कारपोरेशन लिमिटेड में निहित होगा।

तहसील : तशीराबाव	जिला अजमेर	राज्य राजस्थान	क्षेत्रफल	
गांव का नाम	खमरा नं.	है.	आर.	वर्ग मीटर
1	2	3	4	5
वाधपुरी	415	0	00	93
	497	0	00	14
	498	0	00	08
	501	0	00	22
	502/1	0	01	13

[संख्या आर-31615/24/92 ओ आर:1]

कुलदीन मिश्र, अवर सचिव

New Delhi, the 13th December, 1993

S.O. 2758—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 219, dated the 6th February 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of petroleum;

And whereas copies of the Gazette notification were made available to the public on the 28th February 1993;

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the India Oil Corporation Limited.

SCHEDULE

Tehsil : Nasirabad District: Ajmer State: Rajasthan

Name of Village	Khasra No.	Area		
		Hec-tare	Arc	Centi-arc
1	2	3	4	5
Baghsuri	415	0	00	9
	497	0	00	14
	478	0	00	08
	501	0	00	22
	502/1	0	01	13

[No.R-31015/24/92—O.R.-I]
KULDIP SINGH, Under Secy.

नई दिल्ली, 13 दिसम्बर, 1993

क्र. आ. 2759—केन्द्रीय सरकार ने पेट्रोलियम और तन्निज पाईपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या क्र. आ. 220 तारीख 06 फरवरी, 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाईपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी;

और राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 28 फरवरी 1993 को उपलब्ध करा दी गई थी ;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसूचन से सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जन करने की घोषणा करती है।

यह और कि केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए सभी विभागों में मुक्त इंडियन आयन कॉरपोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : रायपुर	जिला : पाकी	राज्य : राजस्थान
क्षेत्र नं०		
गांव का नाम	खसरा नं०	हेक्टर मार वर्ग-मीटर
1	2	3 4 5
दीपावास	137	0 00 93
	229	0 00 52
	237	0 00 46
	240	0 00 26
	242	0 00 33

[संख्या आर-31015/24/92-ओ आर-I]

कुलदीप सिंह, प्रवर सचिव

New Delhi, the 13th December, 1993

S.O. 2759:—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No.S.O. 220, dated the 6th February, 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purposes of laying pipeline for the transport of petroleum;

And whereas copies of the Gazette notification were made available to the public on the 28th February, 1993;

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the India Oil Corporation Limited.

SCHEDULE

Tehsil : Raipur		District : Pali		State : Rajasthan	
Name of Village		Area			
		Hect- are	Are	Centi- are	
1	2	3	4	5	
Deepawas	137	0	00	93	
	229	0	00	52	
	237	0	00	46	
	240	0	00	26	
	242	0	00	33	

[No. R-31015/24/92-O.R.—I]
KULDIP SINGH, Under Secy.

नई दिल्ली, 13 दिसम्बर, 1993

का. आ. 2760-केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाईपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) (जिसे हमसे हमके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 221 तारीख 06 फरवरी, 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाईपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने प्राणय की घोषणा की थी ;

और राजपूत अधिसूचना की प्रतियां जनता की तारीख 28 फरवरी 1993 को उपलब्ध करा दी गई थी ;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करते के पश्चात यह समझात हो गया है कि इस अधिसूचना से संगत अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए ;

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इस अधिसूचना से संगत अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जन करने की घोषणा करती है ;

यह और कि केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए सभी बिस्तरागों से मुक्त इंडियन आयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : खारची		जिला : पाली		राज्य : राजस्थान	
		क्षेत्रफल			
गांव का नाम		खसरा न.	हैक्टर आर	वर्ग-मीटर	
1	2	3	4	5	
राजोला खुर्द	334	0	00	16	

1	2	3	4	5
	348	0	01	88
	351	0	00	24
	352	0	00	22

[संख्या आर-31015/24/92/ओ आर-I]
कुलदीप सिंह, अधर सचिव

New Delhi, the 13th December, 1993

S.O. 2760:--Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 221, dated the 6th February, 1993 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purposes of laying pipeline for the transport of petroleum;

And whereas copies of the Gazette notification were made available to the public on the 28th February, 1993;

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired.

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the India Oil Corporation Limited

SCHEDULE

Tehsil : Kharchi		District : Pali		State : Rajasthan	
Name of Village		Area			
		Khasra No.	Hect- are	Are	Centi- are
1	2	3	4	5	
Rajola Khurd	334	0	00	16	
	348	0	01	88	
	351	0	00	24	
	352	0	00	22	

[No. R.-31015/24/92-O.R.]
KULDIP SINGH, Under Secy.

नई दिल्ली, 13 दिसम्बर 1993

का. आ. 2761—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाईपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) (जिसे हमने इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के, पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 222 तारीख 06 फरवरी, 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाईपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आणय की घोषणा की थी,

और राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 28 फरवरी 1993 को उपलब्ध कर दी गई थी,

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है,

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए,

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित करने की घोषणा करती है।

यह और कि केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए सभी विषयों में से मुक्त इंडियन आयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : देसूरी	जिला : पाली	राज्य : राजस्थान		
क्षेत्रफल				
गांव का नाम	खसरा नं.	हेक्टर	आर	वर्गमीटर
1	2	3	4	5
पिलावनी धेनड़ी	862	0	01	80
	868	0	00	08
	55	0	00	62

[संख्या आर. 31015/24/92 ओ. आर-1]
कुलदीप सिंह, भवर सचिव

New Delhi, the 13th December 1993

S.O. 2761.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 222, dated the 6th February 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that noti-

fication for the purposes of laying pipeline for the transport of petroleum;

And whereas copies of the Gazette notification were made available to the public on the 28th February, 1993;

And whereas the competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited;

SCHEDULE

Tehsil : Desuri	District : Pali	State : Rajasthan		
Area				
Name of Village	Khasra No.	Hectare	Are	Centi-are
1	2	3	4	5
Pilawani	862	0	01	80
Dhenri	868	0	00	08
	55	0	00	62

[No. R-31015/24/92-O.R.-1]
KULDIP SINGH, Under Secy.

नई दिल्ली, 13 दिसम्बर, 1993

का. आ. 2762—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाईपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे हमने इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के, पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 223 तारीख 06 फरवरी, 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाईपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आणय की घोषणा की थी,

और राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 28 फरवरी 1993 को उपलब्ध करा दी गई थी,

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है,

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए;

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित करने की घोषणा करती है।

यह और कि केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए सभी विवरणों से रहित इंडियन आयल कार्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : पीण्डवाड़ा जिला : सिरोंही राज्य : राजस्थान

क्षेत्रफल

गांव का नाम	खसरा नं.	हेक्टर	घर	मीटर
1	2	3	4	5
पीण्डवाड़ा	203	0	00	07
	193	0	00	18
	135	0	00	28
	136	0	01	00
	137	0	00	97

[संख्या आर. 31015/24/92 ओ आर-1]
कुलदीप सिंह, अवर सचिव

New Delhi, the 13th, December, 1993

S.O. 2762.-Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 223, dated the 6th February 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act) the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purposes of laying pipeline for the transport of petroleum;

And whereas copies of the Gazette notification were made available to the public on the 28th February, 1993;

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by subsection (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead, of vesting in the Central Government, vest free from all encumbrances, in the Indian Oil Corporation Limited/

SCHEDULE

Tehsil : Pindwara District : Sirohi State : Rajasthan

Name of Village	Khasra No.	Area		
		Hectare	Are	Centi-are
1	2	3	4	5
Pindwara	203	0	00	07
	193	0	00	18
	135	0	00	28
	136	0	01	00
	137	0	00	97

[No. R-31015/24/92-O.R.-I]
KULDIP SINGH, Under Secy.

नई दिल्ली, 13 दिसम्बर, 1993

का. आ. 2763.-केन्द्रीय सरकार ने, पेट्रोलियम और खनि पাইपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 141, तारीख 23, फरवरी, 1993 द्वारा पेट्रोलियम के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने प्राणय की घोषणा की थी;

और राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 01 फरवरी 1993 को उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित करने की घोषणा करती है;

यह और कि केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि के उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए सभी विवरणों से रहित इंडियन आयल कार्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : संगरूर		जिला : संगरूर		राज्य : पंजाब	
गांव का नाम	खसरा नं.	मुस्ततिल नं.	क्षेत्रफल	हे.	घर
		किला नं.			मीटर
उपली	7	2131/2	0	03	85

[संख्या : आर-31015/26/93 ओ आर -I]
कुलदीप सिंह, अवर सचिव

New Delhi, the 13th December, 1993

S.O 2763:— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 141, dated the 23rd, January, 1993, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) hereinafter referred to as the said Act, the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of petroleum.

And whereas the copies of the said Gazette notification were made available to the public on the 1st February, 1993.

And where as the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government ;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section 1 of section 6 of the said Act the Central Government hereby declares that the right of user in the lands specified in the Schedule appended to this notification are hereby acquired.

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands, shall instead of vesting in the Central Government vest free from all encumbrances, in the Indian Oil Corporation Limited.

Schedule

Tehsil : Sangrur		Dirstrect : Sangrur		State : Punjab	
Name of Village	Hadbast No.	Mustateel/ KillaNo.	Area		
			Hectare	Acre	Cchitare
1	2	3	4	5	6
Upli	7	2131/2	0	08	85

[No. R-31015/26/93-OR-I]
KULDIP SINGH, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 22 नवम्बर, 1993

का. आ. 2764.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक आफ इंडिया के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्विष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण घनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-11-93 को प्राप्त हुआ था।

[संख्या एल=12012/63/89 जी-2(ए)]

हरीश सी. गौड, डैस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 22nd November, 1993

S.O. 2764.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of India and their workmen, which was received by the Central Government on 22-11-93.

[No. L-12012/63/89 D.IAI
HARISH GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT : Shri B. Ram, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 26 of 1989

PARTIES :

Employers in relation to the management of Bank of India and their workmen

APPEARANCES :

On behalf of the workmen—None.

On behalf of the employers—Shri A. K. Karan, authorised representative.

STATE : Bihar,

INDUSTRY : Banking.

Dated, Dhanbad, the 15th November, 1993

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-12012/63/89-D.2(A) dated, the 20th November, 1989.

SCHEDULE

"Whether the allegation of the Bank of India Employees' Congress that the management of Bank of India have indulged in victimisation and discrimination on in respect of Shri Shiv Pujan Singh in the matter of his selection as Special Assistant is correct? If so, to what relief is the workman entitled?"

2. This reference is pending since 1989. As per schedule to the order of reference the management of the Bank of India was stated to have been indulging in victimisation and discrimination in respect of Shri Shiv Pujan Singh in the matter of his selection as Special Assistant. I find that nobody appeared on behalf of the workmen or the union nor any step was ever taken although a number of adjournments were given. Lastly on 26-7-93 one Shri A. K. Karan, Chief Officer on behalf of the management filed a petition for passing no dispute Award for the simple reason that the workmen was not taking any interest in the matter. For the reasons stated above a 'No dispute' Award is passed.

B. RAM, Presiding Officer

Dated : 15-11-1993

नई दिल्ली, 23 नवम्बर, 1993

का. आ. 2765.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में सैन्ट्रल कोलफील्ड्स लिमिटेड की भुरकुड़ा कोलियरी के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्विष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 2) घनबाद के

पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22 नवम्बर, 1993 को प्राप्त हुआ था।

[सं. एल-20012/104/90 आई आर (कोल-1)]
एच. सी. गोड, डेस्क अधिकारी

New Delhi, the 23rd November, 1993

S.O. 2765.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. II) Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Bhurkunda Colliery of M/s. C.C.L. and their workmen which was received by the Central Government on 22-11-1993.

[No. L-20012/104/90-IR (C-I)]
HARISH GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT : Shri B. Ram, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 33 of 1990

PARTIES :

Employers in relation to the management of Bhurkunda Colliery of M/s. CCL and their workmen.

APPEARANCES:

On behalf of the workmen—None.

On behalf of the employers—Shri R. S. Murthy, Advocate.

STATE : Bihar, INDUSTRY : Coal.
Dhanbad, the 15th November, 1993

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/104/90-I.R. (Coal-I) dated, the 16th November, 1990.

SCHEDULE

"Whether the action of the management of Bhurkunda Colliery of CCL, P.O. Bhurkunda, Dist. Hazaribagh, by not regularising the services of Shri Kamruddin, Mech. Helper Cat. II on the post of Mech. Fitter Cat. IV w.e.f. 26-9-84 and not making payment of difference of wages in between the posts of Mech. Helper Cat. II and Mech. Fitter Cat. IV w.e.f. 26-9-84 and onwards is justified? If not, to what relief the workman concerned is justified?"

2. This reference is pending since November, 1990 and notice was issued on October, 1992 to the workmen for filling their W.S. Since then more than a year has lapsed but no W.S. was filed. Lastly on 18-5-93 one another notice was issued but it was of no use. From these facts it is manifest that the union is not interested in pursuing the matter. Hence a 'No dispute' Award is passed.

B. RAM, Presiding Officer

नई दिल्ली, 23 नवम्बर, 1993

का. आ. 2766.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में,

केन्द्रीय सरकार मै. सेंट्रल कोलफील्ड्स लि. की तपिन साउथ कोलियरी के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 2), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22 नवम्बर, 1993 को प्राप्त हुआ था।

[सं. एल-20012/86/90-आईआर (कोल-I)]
एच. सी. गोड, डेस्क अधिकारी

New Delhi, the 23rd November, 1993

S.O. 2765.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. II) Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Tapin South Colliery of M/s. C.C.L. and their workmen which was received by the Central Government on 22-11-93.

[No. L-20012/86/90-IR (C-I)]
HARISH GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT : Shri B. Ram, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 70 of 1991

PARTIES :

Employers in relation to the management of Tapin South Colliery of M/s. C.C.L and their workmen.

APPEARANCES :

On behalf of the workmen—None.

On behalf of the employers—Shri R. S. Murthy, Advocate.

STATE : Bihar. INDUSTRY : Coal.

Dhanbad, the 15th November, 1993

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/86/90-I.R. (Coal-I), dated, the 15th March, 1991.

SCHEDULE

"Whether the action of the management of Tapin South Colliery of CCL, P.O. Tapin South Colliery Dist. Hazaribagh by not regularising and giving promotion to the post of Driver, Cat. V and not making payment of difference of wages in between Cat. I & V to (1) Sri Sandeo Mahto (2) Sri Subhas Jaina (3) Sri Udainath Bhuiyan (4) Sri Munshi Nuyak and (5) Sri Gopi Sao w.e.f. 29-4-87 is justified? If not, to what relief the workmen concerned are entitled?"

2. This reference is pending since April, 1992 for filling W.S. of the workmen. The record prevails that one Shri R.S. Murthy appeared for the management but nobody appeared on behalf of the workmen although notices seemed to have been issued twice. This suggests that the workmen/union has lost its interest in the case and in the circumstances a 'No dispute' Award is passed.

B. RAM, Presiding Officer

नई दिल्ली, 23 नवम्बर, 1993

का.आ. 2767.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय

सरकार सेंट्रल कोल्फील्ड्स लि. के कथारा क्षेत्र के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 2) धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22 नवम्बर, 1993 को प्राप्त हुआ था।

[सं. एल. 24012/56/86 डी-4 (बी)

आई आर (कोल-1)]

एच. सी. गौड़, डैस्क अधिकारी

New Delhi, the 23rd November, 1993

S.O. 2767.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. II) Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Kathara Area of M/s. CCL and their workmen which was received by the Central Government on 22-11-93.

[No. L-24012/56/86-D.IV(B)/IR(C-I)]
HARISH GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Ram, Presiding Officer.

In the matter of an industrial dispute under Section
10(1)(d) of the I.D. Act, 1947.

Reference No. 348 of 1986

PARTIES :

Employers in relation to the management of Kathara
Area of Central Coalfields Ltd and their workmen.

APPEARANCES :

On behalf of the workmen—None.

On behalf of the employers—Shri R. S. Murthy, Advocate

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 8th November, 1993

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-24012/56/86-D.IV(B) dated, the 4th October, 1986.

SCHEDULE

"Whether the action of the management of Kathara Area of Central Coalfields Limited. P.O. Kathara, Distt. Giridih in superseding S/Shri H. D. Chakraborty, H. P. Vishwakarma, H. P. Singh, Shyam Sunder Singh, Mohd. Ayub, R. N. Jha, and Kasho Singh Senior Clerks by their juniors disregarding the principle of seniority-cum-merit is legal and justified? If not, to what relief are the concerned workmen entitled?"

2. This reference is pending since November, 1986. The workmen did not file any W.S. From the record I find that Shri R. S. Murthy, Advocate for the management has been putting his appearance but nobody appeared for the management. In the result, a 'No dispute' Award is passed.

B. RAM, Presiding Officer

नई दिल्ली, 23 नवम्बर, 1993

का. आ. 2768—औद्योगिक विवाद अधिनियम,

1947 (1947 का 14) की धारा 17 के अनुसरण में

केन्द्रीय सरकार मै. भारत कोकिंग कोल लिमि. के सेंद्रा बसजौरा कोलियरी प्रोजेक्ट के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 2) धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-11-93 को प्राप्त हुआ था।

[सं. एल. 24012/130/86 डी-4 (बी) आई आर कोल-1)]

एच.सी. गौड़, डैस्क अधिकारी

New Delhi, the 23rd November, 1993

S.O. 2768.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. II) Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Sendra Bansjora Colliery of M/s. BCCL and their workmen which was received by the Central Government on 23-11-93.

[No. L-24012/130/86-D.IV(B)/IR(C-I)]
HARISH GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Ram, Presiding Officer.

In the matter of an industrial dispute under Section
10(1)(d) of the I. D. Act, 1947

REFERENCE NO. 84 OF 1987

PARTIES :

Employers in relation to the management of Sendra
Bansjora Colliery Project of M/s. B.C.C.L. and
their workmen.

APPEARANCES :

On behalf of the workmen : None.

On behalf of the employers : Shri B. G. Prasad
Advocate.

STATE : Bihar.

INDUSTRY : Coal

Dated, Dhanbad, the 2nd November, 1993

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-24012(130)/86-D.IV(B) dt. 16th February, 1987.

SCHEDULE

"Whether the action of the Management of Sendra Bansjora Colliery/Project of M/s. Bharat Coking Coal Limited in not promoting Shri Tufail Bari from Grade-D Excavation to Grade-B Excavation particularly when the workman junior to him in Poot-kee Bahari Project where Sh. Bari had worked earlier prior to his transfer to Sendra Bansjora Colliery/Project, is justified? If not, to what relief the workman concerned is entitled?"

2. This reference is pending since 1987. But the workmen did not file any claim statement inspite of the notice issued against him. From the record I find that the notices were issued twice but there was no response

3. As per schedule of the reference the action of the management of Sendra Bansjora colliery of M/s. BCCL was challenged in not promoting Shri Tufail Bari from Grade-D Excavation to Grade-B Excavation. In the circumstances I do not propose to give unnecessary adjournment in the case. In the result a 'No dispute' Award is passed.

B. RAM, Presiding Officer

नई दिल्ली, 22 नवम्बर, 1993

का. ग्रा. 2769.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार परबेला कोलिअरी आफ मैसर्स ई सी लि. के प्रबन्धन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-11-93 को प्राप्त हुआ था।

[संख्या एल 22012/281/91 आईआर (सी -II)]
के बी बी उन्नी, डेस्क अधिकारी

New Delhi, the 22nd November, 1993

S.O. 2769.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management Parbelia Colliery of M/s. E.C. Ltd. and their workmen, which was received by the Central Government on 17-11-93.

[No. L-22012/281/91-IR-C.II]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT INDUSTRIAL
TRIBUNAL ASANSOL

REFERENCE NO. 15/92

Present :

Shri N. K. Saha, Presiding Officer.

Parties :

Employers in relation to the Management of Parbelia
Colliery of M/s. E. C. Ltd.

AND

Their workman.

Appearances :

For the Employers.—Sri B. N. Lala, Advocate

For the Workman.—Sri Samiran Chakravorty, Representative of the Union.

INDUSTRY : Coal

STATE : West Bengal

Dated, the 9th November, 1993

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/281/91-IR(C. II) dated the 26th March, 1992.

SCHEDULE

"Whether the action of the management of Parbelia Colliery of M/s. E.C. Ltd., P.O. Nuturia, Dist Purulia, in not giving any protection and proper fitment to S/Sri Jawahar Chouhan and Basdeo Singh on promotion to Mining Sirdar, is justified. If not, to what relief the concerned workmen are entitled to?"

2. Today (9-11-93) the parties have filed a settlement duly signed by them. They have also prayed to pass an award in terms of the settlement.

3. I have gone through the settlement. I find that the terms are fair and reasonable. So the same is accepted. Accordingly I pass an award in terms of the settlement. The

settlement will form part of the award.

N. K. SAHA, Presiding Officer

SETTLEMENT

BEFORE THE HON'BLE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 15 of 1992

PARTIES:

Employers in relation to the management of Parbelia Colliery of Eastern Coalfields Ltd.

AND

Their Workmen

Joint petition of compromise

Both the parties abovementioned most respectfully beg to submit as under :

1. That the above matter is pending before the Hon'ble Tribunal and the matter has not been heard yet.

2. That in the meantime both the parties mutually discussed the instant matter and now come to an amicable settlement on the following terms.

Terms of settlement :

- (a) That the fixation of Basic pay of Rs. 702/- per month of the two employees S/Shri Basdeo Singh and Jawahar Chouhan in Tech/Supervisory grade-C with effect from 23-5-86 on their regularisation/promotion as Mining Sirdars will not be disturbed.
- (b) That Shri Basdeo Singh will be paid the difference between the amount of Rs. 910 and the basic paid to him in Tech/Supervisory Grade-C as fixed initially or as may be drawn by him on getting annual increment as personal pay which will be treated as Basic till such time his basic pay in Tech & Supervisory Grade-C does not reach Rs. 910 and similarly Shri Jawahar Chouhan will be paid the difference between amount of Rs. 1144 and the basic paid to him in Tech/Supervisory Grade-C as fixed initially or as may be drawn by him on getting annual increment as personal pay which will be treated as Basic till such time his Basic Pay in Tech/Supervisory Grade-C does not reach Rs. 1144.
- (c) That by this settlement the instant matter and any matter arising out of it stands fully and finally settled.
- (d) That any arrears payment accruing out of this settlement will be made within three months.
- (e) That this settlement will be effective as from the date the Hon'ble Tribunal may be pleased to accept this settlement as fair and proper and may be further pleased to pass an Award in terms of this settlement.

3. Both the parties most merely pray that the Hon'ble Tribunal may be pleased to pass an consent Award in terms of this settlement.

And for this act of kindness, both the parties as in duty bound, shall ever pray.

Dated this the 7-11-93.

Madhu Banerjee

For and on behalf of the Workmen.

Manoj Mohan Sinha
7-11-93

Agent,

For and on behalf of
the employers.

Part of the Award

नई दिल्ली, 24 नवम्बर, 1993

का. ग्रा. 2770.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में

केन्द्रीय सरकार मद्रास पोर्ट ट्रस्ट मद्रास के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, तमिल नाडू के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार की 23-11-93 को प्राप्त हुआ था।

[सं. एल-33012/2/83-डी (IV)(ए)आई आर(विविध)]
के. वी. वी. उन्नी, डेस्क अधिकारी

New Delhi, the 24th November, 1993

S.O. 2770.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Tamil Nadu as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Madras Port Trust, Madras and their workmen, which was received by the Central Government on 23-11-1993.

[No. L-33012/2/83-D.IV (A)IR (Misc.)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU

MADRAS

Monday, the 25th day of October, 1993

PRESENT :

Thiru K. Sampath Kumaran, B.A. B.L. Industrial Tribunal

Industrial Dispute No. 5/88

[In the matter of the dispute for adjudication under Section 10(1)(d) and 2-A of the Industrial Disputes Act, 1947 between the Workman and the Management of Madras Port Trust, Madras].

BETWEEN

Shri K. Raghavan,
Pillayar Koil Street,
Moovarasampet,
Madipakkam Post,
Meenambakkam, Madras-600061.

AND

The Chairman,
Madras Port Trust,
Rajaji Road,
Madras-600001.

REFERENCE :

Order No. L-33012/2/83-D.IV (A) dated 29-1-88.
Ministry of Labour, Government of India, New Delhi.

This dispute coming on for final hearing on Monday, the 16th day of August, 1993 upon perusing the reference, Counter and all other material papers on record and upon hearing the arguments of Thiru K. Chandru, Advocate appearing for the Workmen and of Thiruvalargal R. G. Rajan and D. V. Sivagnanam, Advocates appearing for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following :

AWARD

The issue that has been referred for adjudication in this industrial dispute is as follows :

"Whether the action of the Management of the Madras Port Trust in dismissing from services Shri K. Raghavan, Mazdoor, Token No. 2440, with effect from 24-11-1980, is justified? If not to what relief the workman is entitled to?"

2. The petitioner filed the following claim statement. The petitioner was working as a Mazdoor in the respondent-Establishment, and had put in 24 years of unblemished service.

On 30-5-80, at about 8.00 a.m. when the petitioner was going to the canteen situated near the port trust, he was accosted by two persons belonging to the Central Industrial Security Force and was taken to a room, where he was shown an article and was asked to identify the same and also to identify a person, who was coming behind the petitioner. When the petitioner expressed his innocence, he was beaten by 3 armed guards belonging to the CISF. His hands were tied and he was continuously slapped. He was told to sign a letter, the contents of which he was not aware of. Since he was beaten, he signed the letter. By the order dated 3-6-80, the petitioner was suspended and was informed for the first time that a relay switch was allegedly recovered from his person. Immediately he sent his explanation dated 11-6-80 refuting the charge. A charge sheet dated 24-6-80 was issued to him, and the petitioner submitted his explanation dated 16-7-80. In the enquiry held on 11-7-80, a Security Guard alone was examined as a witness. Thereafter, the Petitioner's statement was recorded and he was closely cross-examined by the Enquiry Officer himself. After petitioner's evidence was over, the Enquiry Officer called K. M. Mukhunda Menon, Shed Master, and recorded the following in the minutes.

Q : "Kindly state what happened on 30-5-80 with regard to the above case ?

A : I have stated all the facts in the memo addressed to Commandant, CISF and copies to DTM (RP)."

At the time of recording the above statement, the petitioner was not aware at whose instance the said witness was called, and he was also not given copies of memo alleged to have been sent by the witness. The defence representative was also not given an opportunity to cross-examine the said witness. The Enquiry Officer has also deliberately stated in his findings dated 17-7-80 that the Shed Master was questioned at the request of the petitioner, contrary to the facts. He did not consider the fact of non-furnishing of the copy of the memo. Without any legal evidence, the Enquiry Officer found the petitioner guilty. The respondent by the order dated 18-9-80 asked the petitioner to show cause as to why he should not be dismissed from service. The petitioner submitted his reply dated 13-9-1980. By the order dated 24-11-80, the petitioner was dismissed from service, and there was no mention about the unblemished long service of the petitioner in that order. An appeal filed by the petitioner to the Ministry of Shipping and Transport Government of India, was dismissed on 22-9-82, by a one line order. The enquiry held against the petitioner is illegal and contrary to the principles of natural justice. The petitioner was not given any reasonable opportunity to defend himself. The dismissal is shockingly disproportionate to the gravity of the charges levelled against him. The order of the Appellate Authority is also vitiated as it is bereft of any reason. Therefore, the dismissal may be held as unjustified.

3. The respondent filed the following Counter.—The petitioner was appointed as Mazdoor, Sweeping Gang, from 1-10-65 and was dismissed with effect from 24-11-80. He had put in only 15 years of service and not 24 years. At about 8.30 hours on 30-5-80, the petitioner was apprehended by Appa Rao, CISF Guard on duty at Gate No. 12, when he was found in possession of one coil No. 11050-M2-SR No. 79171426 concealed under the cloth around his waist. Therefore, a charge was framed against him that he was in unauthorised possession of the time relay switch when he was apprehended by the CISF Guard at about 8.30 hours on 30-5-80 and thereby he had committed an offence under Clause 42(c)(i) of the Standing Orders of the Port of Madras. The petitioner filed a statement dated 7-7-80, and in the enquiry he was given full opportunity to defend his case. He was defended by Shri A. Subbaiah, throughout the enquiry. After the conclusion of the Enquiry, the petitioner filed a statement dated 16-7-80. The Enquiry Officer found him guilty of the charge. The Chairman concurred with the findings in his proceedings dated 18-9-80. The petitioner was asked to show cause as to why he should not be dismissed from service. The petitioner submitted his explanation on 30-9-80. By his proceedings dated 24-11-80, the Chairman held that the charge was proved and dismissed the petitioner from service. After consideration, the appeal filed by the petitioner to the Central Government was dismissed by the proceedings dated 22-9-82. The petitioner's allegation of physical force applied against him by the CISF personnel is baseless. Neither petitioner nor his defence representative cross-examined the CISF personnel on this point in the

enquiry. The petitioner's contention that at the time of recording the statement of the Shed Master, he was not aware at whose instruction the said witness was called, that he was not given the copy of the memo alleged to have been sent by the said witness, and that the petitioner's defence was not given an opportunity to cross-examine the witness is not correct. The defence representative has also attested the deposition recorded. The Shed Master had only prepared the memo of the incident and sent it to the Officer. The petitioner and his representative knew about it and did not ask for a copy of the same. The Appellate Authority also considered the appeal and rejected it. The findings of the Enquiry Officer are supported by legal evidence. The Disciplinary Authority after giving the Show Cause Notice, examining the written representation and the points raised therein, considering the evidence recorded and perusing all the connected records found that the charge against the petitioner was proved. After taking into account his past service, the petitioner was dismissed from service. Therefore, the petition has to be dismissed.

4. By consent of parties, the preliminary objection as to the fairness or otherwise of the enquiry was taken up at the first instance for enquiry. Therefore, the issue that arises for consideration now is :

"Whether the enquiry against the petitioner was fair and proper ?"

The charge against the petition is that on 30-5-80 at about 8.30 a.m. the petitioner was found in unauthorised possession of one Time Relay Switch, when he was apprehended by the Central Industrial Security Force Guard, and that he is guilty of violation of Clause 42(c)(i) of the Standing Orders of the Respondent-Port Trust. This is denied by the petitioner. Exhibit M-1 is a report dated 30-5-80 given by the Assistant Commandant of CISF (Central Industrial Security Force) to the Traffic Manager of the Madras Port Trust, wherein, he has complained that at Gate No. 12 of the port, the petitioner herein was apprehended by Appa Rao, a Guard, while the petitioner was passing through the Gate No. 12 with a time relay switch concealed under the cloth around his waist. It has also been mentioned in Exhibit M-1 that the theft memo received from Shri K. N. Mukundan, SM-JDV, statement from the mazdoor, report of the SG, seized material, are also enclosed with that report for necessary departmental enquiry. The petitioner was suspended and was asked to show cause against the disciplinary action (under Ex. M-2 dated 3-6-80). In reply, the petitioner has stated under Ex. M-3 dated 11-6-80 that on 30-5-80, he left his workshop to take tea at the hospital-canteen. That as he was leaving the hospital gate he was stopped by one of the CISF man, that he was forced to go to a room adjacent to the gate, that in that room, he was asked to identify some material produced by the CISF men, and also an alleged accomplice. The petitioner has also stated that he was assaulted and forced to sign a statement confessing to the theft. Thereupon the respondent issued a charge sheet (Ex. M-4) dated 24-6-80 and the enquiry notice (Ex. M-5) for which the petitioner gave his explanation. (Ex. M-6 dated 7-7-80). He had given another letter Ex. M-7, wherein also he has denied the charge and has also alleged that he was assaulted by the CISF men, and that he was also forced to sign a statement.

5. In the enquiry Appa Rao, the Security Guard was examined on the side of the Management. He stated in his evidence that on 30-5-80 at about 8.30 hours, he saw the petitioner coming out through the Gate No. 12, that he felt him over the body, that there was something hard near his abdomen, that he took him inside the CISF bunk and examined him, that he found in the possession of the petitioner a time relay switch, that the A.S.I. and Hawildar were also present at that time, that a statement was prepared and signature of the petitioner was obtained, after explaining the statement to him, by the A.S.I. The petitioner also examined himself as a witness on his side. One Mukundan Menon was also called to give evidence and he merely stated that he had stated all the facts in the memo addressed to the Commandant, CISF and copies to DTM(P). The Enquiry Officer gave his finding (Ex. M-8). The Enquiry Officer after referring to the evidence of Appa Rao (the CISF Guard) has observed that a statement was prepared by A.S.I. explained to the accused and signature of the accused was obtained in the statement. The Enquiry Officer has also

stated that the concerned Shed Master Shri K. N. Mukundan Menon was also examined at the request of accused, that from the Shed Master's report it is clear that the accused had accepted his guilt. He has also found that the accused had not reported to the Shed Master that he was beaten up by the CISF guards. Therefore, the enquiry officer held that under the circumstances, the contention of the accused that he was forced to sign the statement and a case was foisted on him can only be an after thought and therefore, cannot be sustained. So, the Enquiry Officer found him guilty of the charge. But, though a statement of confession is stated to have been recorded from the petitioner and a reference has also been made about it in the evidence of Appa Rao (the witness examined on behalf of the Management), in Exhibit M-1 the earliest report by the Assistant Commandant of the CISF, and also in the findings of the Enquiry Officer the same has been neither produced nor marked in this enquiry. Of course, the petitioner contends that the said statement was obtained from him by use of force by the CISF men. Though the enquiry officer makes a reference to it and holds that the contention of the petitioner that he signed the statement by use of force and that a case has been foisted against him can only be an afterthought and cannot be sustained, the said statement has not been either produced or marked.

6. Further, as pointed out already one Mukundan Menon was called to give evidence and that he was asked to state as to what happened on 30-5-80 with regard to this case, he merely mentioned that he had stated all the facts in the memo addressed to the Commandant, CISF with copy to the DTM(P). I have also already referred to the fact that Ex. M-1 the earliest report also mentions about this memo. But, this memo has also not been produced or marked, in evidence. The enquiry officer in his findings refers to this memo by Mukundan Menon (the Shed Master) and finds that from this report it is clear that the accused had accepted the guilt. Since the respondent has not produced the memo sent by Mukundan as evidence the Enquiry Officer was not right in relying upon it. The respondent, has in its counter, stated that the Shed Master had only prepared a memo of his representative knew about it, and did not ask for a copy of the same. Such a plea cannot at all be countenanced. The incident and sent it to the Officer, that the petitioner and When the respondent wants to rely upon a document to show that the petitioner himself has accepted his guilt to Mukundan (the Shed Master), the respondent ought to have furnished a copy of this document to the petitioner before the enquiry commenced. That has not been done. But, the respondent states that the petitioner did not ask for a copy of that document, which the respondent is not entitled to say in a proceeding where the principles of natural justice have to be followed. So, without furnishing a copy of the document (relied upon by the respondent) wherein the petitioner is stated to have admitted his guilt, the Enquiry Officer was not justified in relying upon that document and holding that the said document also shows that the petitioner had accepted his guilt. This is also a violation of principles of natural justice, which vitiates the enquiry.

7. One other factor which also vitiates the enquiry is this. As pointed out already, Mukundan Menon was called to give evidence and he merely mentioned that he has stated all the facts in the memo. The petitioner contends that he was not given an opportunity to cross-examine him and therefore was deprived of a fair opportunity to defend himself. But, in the findings Ex. M-8, the Enquiry Officer has stated that this witness-Mukundan Menon was examined at the request of the accused, which is denied by the petitioner. The respondent has not produced in this Court, the proceedings of the enquiry conducted by the Enquiry Officer. On the contrary, it is only the petitioner who has produced the copies of the deposition recorded by the Enquiry Officer, as W-1. A perusal of Ex. W-1 shows that the enquiry was conducted and concluded on 11-7-80, that Appa Rao was examined and cross-examined, that the petitioner examined himself, and Mukundan Menon was also examined. When the petitioner was examined, he was asked to state whether he was got any witness to support his case and he had answered in the negative. Therefore, when he had stated that he had no witness, it is improbable that Mukundan Menon could have been examined as witness at the request of the petitioner. There is nothing to show that he was examined either on the side of or at the request of the petitioner, whereas, the statement of the petitioner shows that he stated to the Enquiry Officer that he had no

witness at all. So, the Enquiry Officer is not right in stating that Mukundam Menon was examined at the request of the petitioner. If he was examined as witness on the side of the Management, then the petitioner should have been given an opportunity to cross examine him, but that was not done. If really the said witness was examined at the request of the petitioner, he would not have stopped with his mere statement that he has stated everything in his memo, which the Enquiry Officer relies upon to say that the petitioner has admitted his guilt to the Shed Master. Therefore, it is obvious that the said witness Mukundam Menon must have been examined only on the side of the Management, and the failure to give the petitioner an opportunity to cross-examine him also vitiates the enquiry.

8. Further the petitioner states that he preferred an appeal against the order of dismissal, and that the Appellate Authority without considering the case, just passed a one line order rejecting the appeal. The respondent, who contends that the Appellate Authority considered the matter and passed the order, has not chosen to produce that order. So, we have to take that the respondent has not produced that order in as much as it is not considered the order. Though the order by the Appellate Authority concurring with the findings of the Disciplinary Authority need not be elaborate, it must still give reasons for concurring. Therefore, this is also a point against the respondent. Therefore, taking into consideration all these aspects I find that there has been no fair and proper enquiry against the petitioner.

9. I find that the respondent has not sought for an opportunity to be in fresh evidence for establishing the case against the petitioner, though, the petitioner has specifically alleged that the domestic enquiry conducted against him is not fair and just. Therefore, the order dismissing the petitioner from service has to be set aside as unjustified.

In the result, an award is passed holding that there has been no fair and just enquiry against the petitioner and setting aside the order dismissing the petitioner from service. The petitioner must be reinstated with back wages, continuity of service and other attendant benefits. No costs.

Dated, this 25th day of October, 1993.

THIRU K. SAMPATH KUMARAN, Industrial Tribunal
WITNESS EXAMINED

For both sides—None.

DOCUMENTS MARKED

For Workman :

Ex. W-1/11-7-80—Deposition of Tvl. D. Appa Rao, K. Raghavan and K. N. Mukundan Menon recorded in the enquiry proceedings.

Ex. W-2/18-7-83—Remarks submitted by the Management before the Assistant Labour Commissioner (Central), Madras-6.

Ex. W-3/16-9-83—Conciliation failure-report.

For Management :

Ex. M-1/30-5-80—Report of Assistant Commandant, CISE, Madras Port Trust to the Traffic Manager, Madras Port Trust, Madras.

Ex. M-2/3-6-80—Suspension/Show Cause Notice issued to the Petitioner-Worker-Thiru K. Raghavan.

Ex. M-3/11-6-80—Reply by the Petitioner-Worker to Ex. M-2

Ex. M-5/30-6-80—Enquiry notice issued to the Petitioner-Worker.

Ex. M-5/30-6-80—Enquiry notice issued to the Petitioner Worker.

Ex. M-6/7-7-80—Letter from the Petitioner-Worker to the Enquiry Officer.

Ex. M-7/16-7-80— -do-

Ex. M-8/17-7-80—Findings of the Enquiry Officer.

Ex. M-9/18-9-80—Second Show Cause notice issued to the Petitioner-Worker.

Ex. M-10/30-9-80—Explanation by the Petitioner-Workman to Ex. M-9.

Ex. M-11/24-11-80—Dismissal order issued to the Petitioner-workman.

2775 GI/93—G

नई दिल्ली, 24 नवम्बर, 1993

का. आ. 2771.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मंससे हार्ड रॉक टेक्नो एसोसियेशन कोन्ट्रक्टर हिन्दुस्तान जिंक लिमिटेड के प्रबन्धन के संवद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण उड़ीसा, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-11-93 को प्राप्त हुआ था।

[सं. एन-29012/70/90-आई आर (मिसल)]
के. वी. बी. उण्णी, डेस्क अधिकारी

New Delhi, the 24th November, 1993

S.O. 2771.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Orissa, Bhubaneswar as shown in the Annexure in the industrial dispute between the employers in relation to the management of M.s. Hard Rock Tekno Association Contractor of Hindustan Zinc Ltd. and their workmen, which was received by the Central Government on 23-11-1993.

[No. L-29012/70/90-IR (Misc.)]
K. V. B. UNNY, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA. BHUBANESWAR

PRESENT :

Sri R. K. Dash, LL.B., Presiding Officer, Industrial Tribunal, Orissa, Bhubaneswar.

Industrial Dispute Case No. 9 of 1991 (Central)
Bhubaneswar, the 12th November, 1993

BETWEEN

The management of M/s. Hard Rock Tekno Engineering Association, Contractor, Zinc Nagar, Sargipalli Mine Project, Hindustan Zinc Ltd., P.O. Zinc Nagar, Dist. Sundergarh-770072—First Party-management.

AND

Their workman Sri Santosh Kumar Patel, At/P.O. Darlipalli, Dist. Sundergarh—Second Party-workman.

APPEARANCES :

None—For both the parties.

: AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon it by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal for adjudication vide their Order No. L-29012/70/90-IR (Misc.) dated 6th March, 1991 :—

“Whether the action of the management of Hard Rock Tekno Engineering Association (Contractor of Hindustan Zinc Limited, Sargipalli) in refusing employment to Shri Santosh Kumar Patel, Underground Mazdoor with effect from 23-6-88 is lawful and justified? If not, to what relief the workman is entitled?”

2. In his case both parties remained absent on the date of hearing. The workman failed to file his statement of claims despite of registered notice served on him. As it appears the parties are no more interested in the ‘lis’. There is

also no material to answer the reference in either way. In the circumstances, I have no other alternative than to pass a no dispute award. Accordingly, a no dispute award is passed in so far as the present reference is concerned. Dictated and corrected by me.

R. K. DASH, Presiding Officer

नई दिल्ली, 26 नवम्बर, 1993

का. आ. 2772—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार देना बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, मद्रास के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-11-93 को प्राप्त हुआ था।

[संख्या एल-12012/260/91 आई आर (बी -2)]
के. वी. बी. उण्णी डैस्क, अधिकारी

S.O. 2772.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Madras as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Dena Bank and their workmen, which was received by the Central Government on 24-11-1993.

[No. L-12012/260/91-IR (B-II)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU
MADRAS

Thursday, the 7th day of October, 1993

PRESENT :

Thiru K. Sampath Kumaran, B.A.B.L., Industrial Tribunal.

Industrial Dispute No. 9/1992

[In the matter of the dispute for adjudication under Section 10(1)(d) and (2-A) of the Industrial Disputes Act, 1947 between the Workman and the Management of Dena Bank, Madras].

BETWEEN

The Workman represented by :

The General Secretary,
Dena Bank Staff Union (TN),
Saptagiri Apartment, 83, Mowbrays Road,
Alwarpet, Madras-600018.

AND

The Regional Manager,
Dena Bank,
Nungambakkam High Road,
Madras-34.

REFERENCE :

Order No. L-12012/260/91-IR (B-II), dated Nil, Ministry of Labour, Government of India, New Delhi.

This dispute coming on this day for final disposal, upon perusing the reference and their connected papers on record and the Workman being absent, this Tribunal, passed the following :

AWARD

This dispute arises out of a reference under Section 10(1) (d) and (2-A) of the Industrial Disputes Act, 1947 by the Government of India, for adjudication of the following issue :

"Whether the denial of full scale wages to Smt. Nagn-lakshmi permanent part-time employee by the Management of Dena Bank is justified ? If not to what relief is she entitled ?"

No representation for petitioner (10.55 a.m.) Petitioner called absent. No representation for petitioner at 3.07 p.m. also.

Industrial dispute dismissed for default. No costs.

Dated, this 7th day of October, 1993.

THIRU K. SAMPATH KUMARAN, Industrial Tribunal

नई दिल्ली, 26 नवम्बर, 1993

का. आ. 2773—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार गैरिसन इंजीनियर (एम) एम. ई. एस, बास्को डी गामा के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कम लेबर कोर्ट ने 1 नवम्बर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-11-93 को प्राप्त हुआ था।

[सं. एल 14012 /76 /90 आई आर (डीयू)]
के वी बी उण्णी, डैस्क अधिकारी

New Delhi, the 26th November. 1993

S.O. 2773.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Garrison Engineer (M), M.E.S. Vasco-da-Gama and their workmen, which was received by the Central Government on 24-11-1993.

[No. L-14012/76/91-IR (DU)]
K. V B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. I, BOMBAY

PRESENT :

Shri Justice R. G. Sindhakar, Presiding Officer.
Reference No. CGIT-81 of 1991

PARTIES :

Employers in relation to the management of Garrison Engineer (M), M.E.S., Vasco-da-Gama,

AND

Their Workmen.

APPEARANCES :

For the Management—No appearance.

For the Workmen—Shri H. Dourado, Advocate.

STATE : Goa.

INDUSTRY : Engineering.

Bombay, the 10th day of November, 1993

AWARD

Following reference has been made to this Tribunal by Government of India, Ministry of Labour, New Delhi by letter dated 27-9-1991.

"Whether the action of the management of Garrison Engineer, Vasco, is justified in not giving appointment to Shri Sharanappa Adivappa Managul, although selected by Board of Officers? If not, what relief the workman concerned is entitled to?"

2. The workman has in the case of statement, stated that he had originally raised a dispute alongwith the other workman for illegal termination from service. Garrison Engineer, M.E.S. Mangor, Vasco-da-Gama had agreed to reappoint the applicant workman amongst others as per letter dated 22-3-1988 addressed to Asst. Labour Commissioner, Vasco-da-Gama. The applicant was shown at serial No. 17 in the letter in Appendix 'A'. He was however, never given an appointment order and some fresh recruits were appointed in the vacancies. It is because of this, that he has raised present dispute.

3. Garrison Engineers, by reply to the Asst. Labour Commissioner before whom the dispute was raised stated that the appointment letter was issued to the applicant at his local address and that the applicant failed to join duty on due date. Garrison Engineer, however failed to produce any proof of having sent a letter addressed to workman. The Garrison Engineer produced in the conciliation proceedings a copy of the appointment letter dated 31-3-1988 which was marked on the top as "Registered A/D" but he could not produce any receipt of registered posting or the acknowledgment receipt. He approached the office of the Garrison Engineer but to no purpose. He seeks direction from this Tribunal for appointment in the post of Mazdoor with retrospective effect.

4. It is a fact that he was selected for regularisation. The letter dated 22-3-1988 addressed Labour Commissioner, Vasco-da-Gama shows that the candidate, serial No. 17, Sharanappa A. Managul that is present workman in this reference was selected from Mazdoors post by the Board of Officers. The Labour Commissioner called upon the management namely the Garrison Engineer to give reply and in the reply dated 17-3-1989, it has been stated that the offer letter dated 31-3-1988 in respect of Shri Sharanappa was sent by post to his local residential address on 4-4-1988 alongwith five other individuals. It was further stated that out of the above two reported with due date and others did not. It is therefore, contended and it is stated that from his own statement it would be seen that he had gone out without giving any information about his whereabouts even though he knew that he would be appointed. Shri Sharanappa maintaining all along that he was never intimated about the appointment and he could have received the communication at the same address.

5. The point therefore, that has to be considered is whether Shri Sharanappa failed to accept offer made or his contention that he was never communicated the offer is correct. When the matter was fixed at Mormugoa on the repeated request of the workman to fix it in Goa. There was no appearance on behalf of the management on 26-7-1993, inspite of notice served on them. The matter was adjourned to 29-7-1993 at the same venue and none appeared on behalf of the management. The workman was directed to file affidavit and finally the matter was adjourned to 30-7-1993 on which date also there was no appearance on behalf of the management. Affidavit was failed and the matter was posted for orders. Before passing orders the management was informed that it was absent on the date fixed for hearing at Goa and the management admitted that it could not attend for some "Unavoidable reasons". No reasons are mentioned. I therefore propose to deal with the matter.

6. In the affidavit filed by Shri Sharanappa, it has been stated that he had no intimation as none was sent to him. He further stated that on enquiry he was told by the office of the management that he could not be considered for regularisation because he failed to join duties as per their letter. He states that having raised dispute before the Labour Commissioner, the management could not produce any conclusive evidence of having sent a letter. It is stated that, if the letter was sent, as it has been sent by registered post, the management would have been able to produce some evidence to support that fact which was not done. He also stated that there was tampering. Obviously there is no cross-examination of this witness because there was

no appearance on behalf of the management. In view of this the action of the management in not appointing Shri Sharanappa, the candidate selected by the Board of Officers is not justified.

7. The workman is therefore, entitled to immediate appointment. However, I am unable to grant the relief of appointment with retrospective effect. Award accordingly.

R. G. SINDHIKAR, Presiding Officer

नई दिल्ली, 26 नवम्बर 1993

का. भा. 2774—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सुपरिटेण्डेंट डिपार्टमेंट आफ पोस्ट ग्रार एम एस "एम" डिविजन मद्रास के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण तमिलनाडु के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24 नवम्बर, 1993 को प्राप्त हुआ था।

[सं. एल. 40012/53/92 आई ग्रार (डी यू)]
के बी बी. उन्नी, डेस्क अधिकारी

New Delhi, the 26th November, 1993

S.O. 2774.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Tamil Nadu as shown in the Annexure, in the industrial dispute between the employers in relation to the management of The Supdt. D/o Post RMS 'M' Division, Madras and their workmen, which was received by the Central Government on 24-11-1993.

[No. L-40012/53/92-IR (DU)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU
MADRAS

Thursday, the 28th day of October, 1993

PRESENT :

Thiru K. Sampath Kumaran, B.A.B.L. Industrial Tribunal
Industrial Dispute No. 69/93

In the matter of the dispute for adjudication under Section 10(1)(d) and sub-section (2-A) of the Industrial Disputes Act, 1947 between the Workman and the Management of Department of Posts, RMS 'M' Division, Madras.

BETWEEN

Shri N. Saravanan,
S/o Shri M. Narasimhan,
No. 77, Nehru Road,
Edaimpatti
Jolarpet-635851.

AND

The Superintendent,
Department of Posts,
RMS 'M' Division,
Madras-600010.

REFERENCE :

Order No. L-40012/53/92-IR (DU), dated 21-7-93,
Ministry of Labour, Government of India, New
Delhi.

This dispute coming on this day for final disposal in the presence of Thiru P. Arulmudivi, Advocate appearing for the Workmen and of Thiru S. Srinivasan, Addl. Standing Government Counsel for the Management upon perusing the reference and other connected papers on record and the workman having made an endorsement for withdrawing this dispute, this Tribunal passed the following :

AWARD

This dispute arises out of a reference under Section 10(1) (d) and (2-A) of the Industrial Disputes Act, 1947 by Government of India, for adjudication of the following issue :

"Whether the management of Department of Posts is justified in terminating the services of Shri N. Saravanan w.e.f. 20-7-90 ? If not, what relief the workman concerned is entitled to ?"

Endorsement made by the Counsel for the Petitioner withdrawing the Industrial Dispute.

Hence industrial dispute is dismissed as withdrawn. No costs.

Dated, this 28th day of October, 1993

Endorsement made by Counsel for Petitioner

Without prejudice the above industrial dispute, I am withdrawing the above dispute.

Dated : 28-10-1993

(Sd/-) P. Arulmudi,
Counsel for Petitioner

THIRU K. SAMPAT KUMARAN, Industrial Tribunal

नई दिल्ली 26 नवम्बर, 1993

का. आ. 2775—औद्योगिक विवाद अधिनियम 1947 (1948 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सुपरइन्टेन्डेंट डिपार्टमेंट ऑफ पोस्ट आर एम एस "एम" डिवीजन मद्रास के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, तमिलनाडु के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24 नवम्बर, 1993 को प्राप्त हुआ था।

[सं. एल 40012/54/92 आई आर (डी-ए)]
के. बी. बी. उण्णी, डेस्क अधिकारी

New Delhi, the 26th November, 1993

S.O. 2775.—In pursuance of Section 17 of the industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Tamil Nadu as shown in the Annexure, in the industrial dispute between the employers in relation to the management of The Supdt., D/o Post, RMS 'M' Division, Madras and their workmen, which was received by the Central Government on 24-11-1993.

[No. L-40012/54/92-IR (DU)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU
MADRAS

Thursday, the 28th day of October, 1993

PRESENT :

Thiru K. Sampat Kumaran, B.A.B.L. Industrial Tribunal.

Industrial Dispute No. 68/93

(In the matter of the dispute for adjudication under Section 10(1)(d) and (2-A) of the Industrial Disputes Act, 1947 between the Workman and the Management of Department of Posts, RMS 'M' Division, Madras).

BETWEEN

Shri V. Kathiraven,
S/o. T. Vellaiyan,
Nellivasal Nadu and Village Post,
Jevvadhu Malai,
Tirupattur (TK),

(via) Veshamangalam-635652 Ambedkar Dt.

AND

The Superintendent,
Department of Posts,
RMS 'M' Division,
Madras-600010.

REFERENCE :

Order No. L-40012/54/92-IR (DU), dated 21-7-1993.
Ministry of Labour, Government of India, New Delhi.

This dispute coming on this day for final disposal, in the presence of Thiru S. Srinivasan, Additional Standing Government Counsel appearing for the Management upon perusing the reference and other connected papers on record and the workman being absent, this Tribunal passed the following :-

AWARD

This dispute arises out of a reference under Section 10(1) (d) and (2-A) of the Industrial Disputes Act, 1947 by the Government of India, for adjudication of the following issue :

"Whether the Management of Department of Posts is justified in terminating the services of Shri V. Kathireven, w.e.f. 21-7-90 ? If not, what relief is the workman concerned entitled to ?"

Vakalat not filed. Claim statement not filed. Petitioner called absent. Industrial dispute dismissed for default. No costs.

Dated, this 28th day of October, 1993.

Sd/-

THIRU K SAMPAT KUMARAN, Industrial Tribunal

नई दिल्ली, 26 नवम्बर, 1993

का. आ. 2776—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय जीवन बीमा निगम लि. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण वम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-11-93 को प्राप्त हुआ था।

[संख्या एल-17012/14/88-डी-IVए/डी-1-बी]
के. बी. बी. उण्णी, डेस्क अधिकारी

New Delhi, the 26th November, 1993

S.O. 2776.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the management of LIC of India and their workmen, which was received by the Central Government on 24-11-1993.

[No. L-17012/14/88-D.IV (A)/D.I (B)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. I, BOMBAY

PRESENT :

Shri Justice R. G. Sindhakar, Presiding Officer.
Reference No. CGIT-10 of 1989

PARTIES :

Employers in relation to the management of Life Insurance Corporation of India

AND

Their workmen.

APPEARANCES :

For the Management—Shri Dharwankar, Advocate

For the Workman—Shri A. S. Deo, General Secretary of the W.Z.I.E. Association

INDUSTRY : Insurance

STATE : Maharashtra

Bombay, the 12th day of November, 1993

AWARD

This is a reference under section 10(1)(d) of the Industrial Disputes Act, 1947, made by the Government of India, Ministry of Labour by order dated 27-1-1989. The schedule of this reference is to the following effect :—

"Whether the action of the management of Life Insurance Corporation of India, in relation to its Satara Division in not posting Shri V. L. Chaphekar, Higher Grade Assistants as Asstt. Administrative Officer at Satara itself is justified? If not, to what relief the workman is entitled to?"

2. The Union filed the statement of claim and the management files its written statement. Rejoinder has also been filed on behalf of the Union.

3. The dispute raised was that Shri V. L. Chaphekar, Higher Grade Assistant was not posted at Satara and was posted at Karad. That was way back in the year 1987. The management attempted to justify its action by its written statement.

4. When the matter came up before me for hearing on 19-10-1993, there was no appearance on behalf of the management. However, Mr. Nanal appearing on behalf of the Union submitted that the Union does not wish to press the reference in view of the fact that the workman concerned Shri V. L. Chaphekar has already retired from service.

5. It is rather unfortunate that the dispute could not be taken up for adjudication earlier since the post of Presiding Officer of this Tribunal was vacant from a considerably long time till I took over on 19-4-93 after the retirement of my learned predecessor Shri Justice S. N. Khatri, who retired in December 1991.

6. However, in view of the statement made by Shri Nanal, before this Tribunal, the present reference is disposed off, and Award is accordingly made.

R. G. SINDHAKAR, Presiding Officer

नई दिल्ली, 26 नवम्बर, 1993

का. आ. 2777.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय जीवन बीमा निगम लि. के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कोटा के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-11-93 को प्राप्त हुआ था।

[संख्या एल-17012/42/92-आई-आर (बी-II)]
के. बी. बी. उष्णी, डैस्क अधिकारी

New Delhi, the 26th November, 1993

S.O. 2777.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kota as shown in the Annexure in the industrial dispute between the employers in relation to the management of LIC of India and their workmen, which was received by the Central Government on 24-11-1993.

[No. L-17012/42/92-IR (B-II)]
K. V. B. UNNY, Desk Officer

अनुबंध

न्यायाधीश, औद्योगिक न्यायाधिकरण (केन्द्रीय) कोटा/राज./
निर्देश प्रकरण क्रमांक : ओ. न्याय (केन्द्रीय)-5/1992
दिनांक स्थापित : 7-12-92

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश
संख्या एल-17012/42/92 दिनांक 3-12-92

औद्योगिक विवाद अधिनियम, 1947

मध्य

महेश कुमार चतुर्वेदी, मकान नं. 14, सावर्यमती कालोनी,
कैथनीपोल, कोटा।

—प्रार्थी श्रमिक

एवं

डिविजनल मैनेजर, भारतीय जीवन बीमा निगम डिवि-
जनल ओफिस, अजमेर

—प्रतिपक्षी नियोजक

उपस्थित

श्री जगदीश नारायण शर्मा,

आर.एच. जे. एस.

प्रार्थी श्रमिक की ओर से प्रतिनिधि श्री एन. के. तिवारी
प्रतिपक्षी नियोजक की ओर से कोई उपस्थिति नहीं
अधिनिर्णय दिनांक : 4 अक्टूबर, 1993

अधिनिर्णय

भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा निम्न
निर्देश औद्योगिक विवाद अधिनियम, 1947 (जिसे तब-
परान्त "अधिनियम, 1947" से सम्बंधित किया जावेगा)
की धारा 10 (1) (घ) के अन्तर्गत इस न्यायाधिकरण
की अधिनिर्णयार्थ सम्प्रेषित किया गया है :—

"Whether the action of the management of Life Insurance Corporation of India in terminating services of Sh. Mahesh Kumar Chaturvedi, Apprentice Development Office (Urban) w.c.f. 14-10-85, is fair and justified?"

2. निर्देश न्यायाधिकरण में प्राप्त होने पर दर्ज रजिस्टर किया गया व पक्षकार को सूचना भिजवाई गयी। प्रार्थी श्रमिक महेश कुमार की ओर से कहा गया है कि प्रतिपक्षी नियोजक ने अपने पत्र दिनांक 16-5-85 के द्वारा उसे अप्रेंटिस डेवलपमेंट ऑफिस (अरबन) अजमेर डिविजन में कार्य करने हेतु नियुक्त किया गया। इस सम्बन्ध में उसे

दो माह का प्रशिक्षण दिल्ली में दिया गया जो अवधि 10 अगस्त, 85 को समाप्त हो गयी और आगे के प्रशिक्षण के लिए उसे अजमेर मण्डल में भेज दिया गया। 12 अगस्त, 85 को प्रार्थी ने अजमेर में उपस्थिति दी और उसे अजमेर प्रथम शाखा कार्यालय से आगे के प्रशिक्षण के लिए लगा दिया गया और अन्त में 14/10/95 के पत्र द्वारा प्रतिपक्षी के वरिष्ठ सहायक प्रबन्धक द्वारा नौकरी से अवैध रूप से हटा दिया गया। प्रार्थी को किसी भी प्रकार संभागीय प्रबन्धक सेवा से हटाने हेतु समक्ष नहीं थे। प्रार्थी को किसी प्रकार का कोई आरोप-पत्र भी सेवा से हटाने से पूर्व नहीं दिया गया। प्रार्थी को हटाया गया उस समय उससे कनिष्ठ पांचू लाल चावला आदि अन्य कई अप्रेंटिस डवलपमेंट ऑफिसर नियोजक के मौजूद थे इस प्रकार नियोजक ने फर्स्ट गो के प्रावधान की अवहेलना की है और अधिनियम 1947 की धारा 25-जी के प्रावधान की भी अवहेलना की है तथा इन प्रावधानान्तर्गत अधिनियम 1947 के अन्तर्गत बनाये गये नियमों के नियम 77 के अनुसार वरिष्ठता सूची का प्रकाशन भी नहीं किया गया और प्रार्थी को हटाने के पश्चात् कई नये अप्रेंटिस डवलपमेंट ऑफिसर को भी सेवा में नियुक्ति दी गयी।

3. प्रतिपक्षी पर नोटिस की तामील होने के बावजूद जब उनकी ओर से कोई उपस्थित नहीं हुआ तो 29/4/93 को प्रतिपक्षी के विरुद्ध एकपक्षीय कार्यवाही की गयी।

4. एकपक्षीय साध्य में प्रार्थी महेशकुमार ने स्वयं का शपथ-पत्र प्रस्तुत करते हुए कहा है कि उसे दि. 16-5-85 के पत्र द्वारा प्रतिपक्षी नियोजक ने नियोजित किया था और दि. 14-10-85 को उसे तत्काल प्रभाव से बिना कोई कारण बताये सेवा से हटा दिया गया। शपथपत्र में उसने कहा है कि उसे सेवा से हटाया गया उस समय उससे कनिष्ठ चन्द्रसिंह कोठारी आदि कई कर्मचारी नियोजक के नियोजन में मौजूद थे तथा प्रार्थी को हटाये जाने के पश्चात् पांचू लाल, दीपक भार्गव आदि को नयी नियुक्तियाँ अप्रेंटिस डवलपमेंट ऑफिसर के पद पर दी गयी है किन्तु प्रार्थी को नौकरी पर नहीं बुलाया जबकि उसने नौकरी हेतु कई प्रार्थना-पत्र भी दिये हैं।

5. जैसा कि प्रार्थी के नियुक्ति प्रपत्र प्रदर्श उल्लू. 1 व उल्लू. 2 से स्पष्ट है, उसकी नियुक्ति अप्रेंटिस अधिनियम, 1961 के अन्तर्गत नहीं की गयी थी, यह इससे भी सिद्ध होता है कि अप्रेंटिस अधिनियम, 1961 की धारा 4 के अन्तर्गत को संविदा दोनों पक्षों के बीच नहीं हुई और न ही धारा 4 की प्रक्रिया के अन्तर्गत नियोजक द्वारा अप्रेंटिस सलाहकार को इस प्रकार कोई संविदा पंजीकरण के लिए गयी। अतः प्रार्थी महेशकुमार "कर्मकार" को परिभाषा में आता है। प्रार्थी श्रमिक पक्ष की ओर से तर्क देने हुए उनके विवाद प्रतिनिधि ने केवल इस बिन्दु पर बहल को है कि यद्यपि इस श्रमिक को केवल लगभग 5 माह ही नियोजन से रहते हुए हुआ था किन्तु उसका केस छंटनी को परिभाषा में आता

है। उनका कथन है कि अधिनियम, 1947 की धारा 2 (ओ ओ) के अन्तर्गत यह आवश्यक नहीं है कि छंटनी की परिभाषा में आने के लिए किसी श्रमिक ने 240 दिन की अवधि पूरी करली हो, उनका कथन है कि यदि किसी श्रमिक ने एक वर्ष की अवधि पूरी करली हो और उसकी छंटनी की जाये तो उसे धारा 25-एफ के अन्तर्गत छंटनी करते समय नोटिस, नोटिस बतन तथा मुआवजा दिलाया जाना आवश्यक है और एक वर्ष की अवधि को अधिनियम, 1947 की धारा 25-बी में परिभाषित किया गया है जिसके अन्तर्गत नौकरी से हटाने के पूर्व वाले एक वर्ष के अन्तर्गत यदि किसी श्रमिक ने 240 दिन पूरे कर लिये हों तो उसकी सेवा अवधि एक वर्ष की मान ली जायेगी। उनका कथन है कि इस श्रमिक को सेवा से हटाया गया तो उस समय उससे कनिष्ठ इसी श्रेणी संवर्ग के श्रमिक नियोजक के नियोजन में मौजूद थे इसलिए अधिनियम, 1947 की धारा 25-जी के अन्तर्गत उसके पूर्व उससे कनिष्ठ व्यक्तियों की छंटनी की जानी चाहिए थी। और तब उसे छंटनी किया जाना चाहिए था। अपने शपथ-पत्र में श्रमिक ने कहा है कि उससे कनिष्ठ चन्द्रसिंह कोठारी और अन्य कई कर्मचारी नियोजक के नियोजन में मौजूद थे। यद्यपि अपने क्लेम में श्रमिक ने यह कहा है कि उससे कनिष्ठ पांचू लाल चावला आदि अन्य कई अप्रेंटिस डवलपमेंट ऑफिसर नियोजक के मौजूद थे और शपथ पत्र में पांचू लाल चावला का नाम उस श्रेणी में बताया गया है जो प्रार्थी को नौकरी से हटाने के बाद नयी भरती के रूप में किये गये, जैसा कि शपथ-पत्र के पैरा संख्या (10) में स्पष्ट वर्णित है। किन्तु इसे एक मामली विरोधाभास कहा जायेगा क्योंकि श्रमिक ने क्लेम में स्पष्ट कहा था कि कई व्यक्ति उससे कनिष्ठ होते हुए भी उसे नौकरी से हटाया गया और शपथ-पत्र में उसने चन्द्रसिंह कोठारी तथा अन्य कर्मचारियों के बारे में लिखा है कि वे उससे कनिष्ठ थे और उसे सेवा से हटाने के समय नियोजन में मौजूद थे। इस बिन्दु पर एस. बी. सिविल रिट पिटिंगन सं. 1193/1989, जनरल मैनेजर, नॉर्दन रेलवे बनाम सेन्ट्रल इण्डस्ट्रियल ट्रिब्यूनल, जयपुर 1991 (2) एल.एम.एन. 224 से माननीय राज. उच्च न्यायालय ने कहा है कि यदि धारा 25-पी के प्रावधानान्तर्गत नियोजक द्वारा वरिष्ठता सूची का प्रकाशन नहीं किया गया और छंटनी धारा 25-एफ के प्रावधानान्तर्गत नहीं की गयी तो ऐसा छंटनी अवैध है। "पी. के. सेठ एवं अन्य बनाम मैनेजर स्टेट बैंक आफ़ ब्रोकानेर एण्ड जयपुर, को बिरहना रोड़, कानपुर वाले मामले के अधिनियम दि. 29/1/86 में औद्योगिक न्यायाधिकरण, केन्द्रीय, कानपुर ने यह कहा है कि धारा 25-जी के प्रावधान स्वतंत्र प्रावधान हैं और उसके लिए यह आवश्यक नहीं है कि छंटनी किये जाने वाले श्रमिक ने 240 दिन की सेवा अवधि पूरी करली हो। वर्तमान प्रकरण में श्रमिक की साध्य से स्पष्ट है कि उसे नौकरी से हटाने के समय उससे कनिष्ठ उसी संवर्ग के कुछ लोग कार्यरत थे और इस प्रकार धारा 25-जी व नियम 77

की पालना नहीं की गयी है इसलिए श्रमिक को सेवा से हटाने का आदेश अवैध है।

6. जहाँ तक राहत का प्रश्न है, इस श्रमिक ने लगभग 7 वर्ष बाद विवाद उठाया है। "1989 (58) एफ. एल. आर. 99—रामचन्द्र यादव बनाम स्टेट आफ बिहार" में माननीय उच्चतम न्यायालय ने ऐसे प्रकरण में जहाँ विवाद बहुत देरी से उठाया हो, श्रमिक को पिछली मजदूरी के बिना पुनः सेवायें लेने की राहत प्रदान की है। वर्तमान प्रकरण में भी श्रमिक ने विवाद को लगभग 7 वर्ष बाद प्रारम्भ किया है इसलिए उसे कोई पिछली मजदूरी नहीं दिलायी जा सकती, किन्तु उसकी सेवा की निरन्तरता मानते हुए, उसे पुनः सेवा में लिये जाने का अधिकारी होना माना जाता है।

7. उपरोक्त सम्पूर्ण विवेचन के आधार पर भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा सम्प्रेषित निर्देश को इस प्रकार उत्तरित किया जाता है कि भारतीय जीवन बीमा निगम, अजमेर के प्रबन्धक वर्ग द्वारा श्रमिक महेश कुमार को दि. 14-10-85 से सेवा से पृथक् करना अवैध है। प्रार्थी श्रमिक सेवा की निरन्तरता सहित पुनः सेवा में आने का अधिकारी है, परन्तु वह पिछली मजदूरी के रूप में कोई राशि प्राप्त करने का अधिकारी नहीं है।

इस अधिनिर्णय को भारत सरकार, श्रम मंत्रालय, नई दिल्ली को नियमानुसार प्रकाशनार्थ भिजवाया जावे।
जगदीश नारायण शर्मा, न्यायाधीश

नई दिल्ली, 26 नवम्बर, 1993

का. आ. 3778.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक आफ बड़ौदा के प्रबन्धक के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बड़ौदा के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-11-93 को प्राप्त हुआ था।

[संख्या एल-12012/434/89-डी-II(ए)]
के. वी. बी. उण्णी, डेस्क अधिकारी

New Delhi, the 26th November, 1993

S.O. 2778—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the management of Bank of Baroda and their workmen, which was received by the Central Government on 24-11-1993.

[No. L-12012/434/89-D.II (A)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, BOMBAY

PRESENT :

Shri Justice R. G. Sindhakar, Presiding Officer.
Reference No. CGIT-13 of 1990

PARTIES :

Employers in relation to the management of Bank of Baroda,

AND

Their workmen.

APPEARANCES :

For the Management—Shri D'Souza, Advocate.

For the Workmen—Shri M. B. Anchan, Advocate.

INDUSTRY : Banking

STATE : Maharashtra

Bombay, the 8th day of November, 1993

AWARD

The following reference has been made to this Tribunal by the Government of India, Ministry of Labour by order dated 12-2-1990.

"Whether the action of the employer of Bank of Baroda in imposing the punishment of stoppage of two increments to Shri B. P. Yelve, sub-staff is justified? If not, to what relief is the workman concerned entitled?"

2. On behalf of the workman, statement of claim has been filed by the President, Bank of Baroda Employees' Association. It has been stated therein that he was working as a Sweeper since 1972. On 1-3-1984, a charge sheet was given to him alleging that he had committed 'mis-conduct' of drunkenness and disorderly behaviour on the premises of the Bank, leaving the department without obtaining permission from the department in-charge. Subsequently an enquiry was held to enquire into the charges and on the basis of the Enquiry Officer's report, the disciplinary authority imposed the penalty of stoppage of two increments, which will have a future effect of postponing his subsequent increments.

3. Aggrieved by this order of the management, an appeal was preferred by the delinquent workman before the Appellate Authority, who dismissed the appeal on the ground of time limit. A mercy petition addressed to the Chairman-cum-Managing Director came to be dismissed, not by him but by the Dy. General Manager (Personnel and Industrial Relations).

4. A request to the Asstt. Labour Commissioner was also not favourably responded. It is under these circumstances that the Government has made the present reference to this Tribunal for adjudication under Section 10(I)(d) of the Industrial Disputes Act, 1947.

5. It has been stated on behalf of the workman that the charges are baseless and that the workman admitted the charges under the impression that the management would take a lenient view and would not impose such a severe punishment involving onerous financial burden, and would absolve him of the untenable charges. He therefore, requested to try his case under clause 19(2)(e) of the Bi-partite Settlements dated 19-10-1966. Far from accepting his requests, the disciplinary authority imposed the penalty mentioned above, without giving proper and fair opportunity of personal hearing.

6. He submits that as a result in his entire service period, his loss would be of about Rs. 70,000. It was then contended that Shri Yelve the workman concerned showed marked improvement in his behaviour, and inspite of this, he was awarded the penalty of stoppage of two increments without limit.

7. It was also contended that the Defence Representative misled him and while taking the defence on behalf of the workman told him that if he admits the charges, severe action will not be taken by the management against him. It is

under these circumstances, he admitted that charges. He was thus deprived of an opportunity to defend himself before the Enquiry Officer. The prayer therefore, is that the order be set aside.

8. On behalf of the management written statement has been filed and it has been contended therein that the conduct, behaviour, and performance of the workman was not satisfactory and therefore, he was chargesheeted on 1-3-1984, mentioning as many as 6 items and they are :

- (1) Drunkenness and disorderly behaviour in the premises of the Bank.
- (2) Leaving the department without any permission from the Head of the Department.
- (3) Negligence in performing duties.
- (4) Remaining absent without prior permission.
- (5) Committing act subversive of discipline.
- (6) Committing acts prejudicial to the interests of the Bank.

The workman requested the management that his case should be treated under clause (e) of Section 19.12 of the Bi-partite Settlement of 19-10-1966, and enquiry may not be held against him. The workman admitted the charges levelled against him and the disciplinary authority thereafter, imposed the penalty of stoppage of two increments without limit. This was done in accordance with the provisions and could not be therefore interfered under the present proceedings. It has been submitted that the present penalty has been imposed because of his assurance of good behaviour, regular attendance and the admission made before the Enquiry Officer, though a severe penalty would have been justified in view of the gravity of the misconduct.

9. The contention as such is that after imposing the punishment, he was again charge-sheeted on 28-9-1984, and once again he pleaded guilty and the Bank took a lenient view and gave him a warning. Once again, on 5-9-1985 he came to be charge-sheeted, and on this occasion also he was let off with a warning in view of his pleading guilty to the charges.

10. On merits, the bank has also justified its action and it has been contended on behalf of the Bank that he was given a fair and proper opportunity to defend himself. It is further contended that the appeal was rejected because, it was unduly delayed. The Bank's order dated 24th August 1984 was challenged in an appeal on 13-2-1987. An appeal should have been filed within 45 days from the date of the order. It is in these circumstances, that the appeal came to be rejected. It is further contended that the Bank having taken a lenient view there was no merit in the appeal. So far as the mercy petition is concerned it was put up before the Chairman and Managing Director, and the Dy. General Manager (Personnel and Industrial Relations) only communicated his decision to the delinquent workman. It is urged that this was also rightly done because there was no merit in the mercy petition, which was preferred in 1987 as against an order passed in the year 1984. The Asst. Labour Commissioner's request to consider this case favourably was also attended by the Bank, and it denies that it acted high-handedly.

11. No oral evidence was led on behalf of either side. Mr. D'Souza on behalf of the management and Mr. M. B. Anchan on behalf of the workman argued the matter. Mr. Anchan submitted that the only submission that we would like to make is with regard to the penalty imposed. Mr. D'Souza on behalf of the management contended that it is not now open to this Tribunal to deal with this plea of the delinquent workman.

12. The chargesheet contained several allegations and it has been proved against him. The charge-sheet specifying several charges was served on the workman and as per the representation made by the workman his case was dealt under clause 19.12(e) of the Bipartite settlement of 1966. The delinquent workman vide his letter dated 20-7-1984 addressed to the Chief Manager Personnel and Administration requested him to try his case under clause 19.12(e) of the

Bipartite Settlements of 1966 and give him any punishment short of discharge/dismissal. By his above letter, he wrote :

"I request you to kindly treat my case under clause 19.12 (e) of the Bipartite Settlement of 19th October 1966, and give me any punishment (underlining is mine) short of discharge or dismissal which I am prepared to accept." (Exh. W-3).

In view of this, the enquiry came to the conclusion. (Exh. W-4). The defence representative was also a signatory to the said proceeding. On 18-8-1984, (Exh. W-5) the disciplinary authority i.e. the Chief Manager Personnel and Administration recorded his observations based on the enquiry report and the admission made by the workman and gave him a personal hearing on 10-8-1984 on the proposed punishment, and thereafter he passed the order. It is seen from the order that the workman had told the disciplinary authority that the proposed penalty would be too harsh and hence a lenient view be taken against him considering the charges levelled against him.

13. Reliance was placed by Mr. D'Souza, on behalf of the management, on a decision of the Supreme Court in the case of the workmen of M/s. Firestone Tyre and Rubber Co. Vs. Management, reported in the year 1973 LLJ—I, page 278. I find that it is not on the point this Tribunal is now dealing with. The point before me is not whether the Tribunal can or cannot interfere with the order of penalty but, whether it is a fit case to interfere.

14. The delinquent workmen has been given proper and fair opportunity to defend his case before imposing the penalty. Reference can be made to the workman's letter requesting to deal with his case under clause 19.12 (e) of the Bipartite Settlement of 1966 wherein he stated that he may be prepared to accept any punishment short of discharge or dismissal. The management has also stated in their written statement that the workman was required to be charge-sheeted twice soon after imposing this punishment, which has been now challenged before this Tribunal, and there again a lenient view has been taken by the Bank.

15. In view of the discussion above, I am of the opinion that the Bank is justified in imposing the said penalty. Reference is accordingly answered with no order as to costs.

R. G. SINDHAKAR, Presiding Officer

नई दिल्ली, 26 नवम्बर, 1993

का.आ. 2779.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, आंध्र बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-11-93 को प्राप्त हुआ था।

[संख्या एल-12012/643/89-डी-2(ए)]
के. वी. बी. उन्नी, डैस्क अधिकारी

New Delhi, the 26th November, 1993

SO. 2779.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Andhra Bank and their workmen, which was received by the Central Government on 24-11-93.

[No. L-12012/643/89-D.II(A)]

K. V. B. UNNY, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTA

Reference No. 10 of 1990

Parties :

Employer in relation to the Management of Andhra Bank.

AND
Their Workmen.

Present :

Mr. Justice Manash Nath Roy, Presiding Officer.

Appearance :

On behalf of Management.—Mr. C. P. S. Ramacharyulu, Law Officer.

On behalf of Workmen.—Mr. Monoranjan Bhunia, an Executive Committee member of C.B.I.E.U.

STATE : West Bengal. INDUSTRY : Banking.

AWARD

One Mihir Kumar De (hereinafter referred to as the said Sri De), a Clerk of Calcutta Main Branch of Andhra Bank, Calcutta (hereinafter referred to as the said Bank), was allowed to draw Special Allowance (hereinafter referred to as the said allowance) of Rs. 524 for attending duties of Clearing House, and thus, according to the claim of the workmen, deprived the claims of Sarbashree Pranab Kumar Bandopadhyay, Smonth Sengupta, Sanjoy De, clerks, who were also claimed to be seniors to the said employee, a dispute arose on the same, which was referred for adjudication by Order of Reference No. L-12012/643/89-D.II(A) dated nil, which was received by the office on April 30, 1990. The reference made under Section 10(1)(d) of the Industrial Disputes Act, 1947 (hereinafter referred to as the said Act). The proceedings was conducted on behalf of the workmen by the Andhra Bank Employees' Association, West Bengal (hereinafter referred to as the said Association).

2. The said Association has alleged that on March 24, 1981, a settlement was arrived at by and between the said Bank and another Union viz. Andhra Bank Employees' Union, affiliated to A.I.B.E.A., of which Sri Mihir Kumar De, was a leader, in terms of an Agreement, disclosed as Annexure 'A' to their Written Statement. Special reference was made to clauses (1) and 2(a) of that agreement, the provisions whereof are quoted hereunder :—

“(1) The eligibility for entrusting special allowance shall be determined on the basis of seniority in service in the cadre (seniority in service means seniority on the basis of total service put in the bank in the cadre and not the service put in the units mentioned below in No. 12 and No. 3. Cadre means subordinate or clerical cadre.

2(a). For the purpose of entrusting of special allowances, a place with more than one branch, regional office, will be considered as a unit.”

3. It has further been alleged by the said Union that the three employees as mentioned herein before and whose names are also indicated in the order of Reference, (hereinafter referred to as the same employees), joined the said Bank earlier than the said Sri De. As such, it was also claimed that the grant of the said allowance or post carrying the same, to the said Sri De, from July 1986, was unreasonable, void, improper and bad. There was no dispute, for such posting, the said Sri De received ultimately a sum of Rs. 524 per month, which amount was raised from Rs. 456 per month, with effect from November 1987. It was indicated that such unnatural gain to the said Sri De was given without any basis, reason or on following the necessary norms, which amounted to unfair labour practice.

4. The said Union further pointed that three employees concerned went on making repeated representations against such unfair and illegal action of the said Bank, but such representations, ultimately produced no result. It has been pointed out that the said Bank supplied Ext. W-4, which disclosed the respective joining dates of the employees concerned including the date of joining of the said Sri De, amongst others. This was, according to the said Union, the seniority list of the clerical staff of Calcutta Zone. On a reference to the said Exhibit, the said Union has thus claimed that the said Sri De could not, on any account be considered as senior to the said employees and thus, could be considered duly, for being posted as Clearing House representative of the said Bank.

2775 GI/93—10.

5. The said Union has stated that by the letter dated April 11, 1989, they made representation to the A.L.C. (C), so that the malpractice as involved in this case is not recurred and justice is done to the said employees by the said Bank and before such Authority, the said Bank took a stand, which was vague and inappropriate and they, duly pointed out to the concerned Authority, the impropriety of the stand as taken by the said Bank or the hollowness of their stand, even on the basis of the Supreme Court decision, the particulars whereof, would be indicated hereafter. It would appear that the attempts of conciliation, having failed, this Reference was made.

6. In the facts of the case, the said Union has played that the injustice done to the employees be rectified and the Reference be answered against the said Bank, by granting relief @ Rs. 456 per month to the said employees from July 1, 1986 to October 31, 1987 and @ Rs. 524 per month, from November 1, 1987 and for a decision that the said employees, who were senior employees have been deprived for the necessary postings and corresponding allowance, for no fault on their part and they should also be paid further reliefs including Bonus, Provident Fund, Gratuity, H.R.A. with due, necessary and relevant interest.

7. The said Bank, by their Written Statement filed on November 19, 1990, have claimed the basis of the claim of the said Union, as misleading, baseless and irrelevant. In Part-I of their Written Statement, they have claimed the Reference to be not maintainable, as the Appropriate Government prejudged the issue and the making of the Reference was further indicated to be bad, as the said Union had or has no locus standi to espouse the cause. The Reference was indicated to be not maintainable as the issue under reference was beyond the class of cases as enumerated in the Second and Third Schedule of the said Act. It was also claimed that no proper dispute was duly raised.

8. In part-II of the Written Statement, the said Bank has agreed that the said Sri De was a Clerk and he was paid the said allowance for attending the Clearing House and according to them, the post as well as the duties and responsibilities for entitlement to the said allowance under the Bipartite Settlement, do not cover the post of Clerk and as such, the said Sri De, being a Clerk would come under the category of workman, enumerated for special allowance under the said settlement. It has been stated that since Sri De was a clerk, he was being paid such allowance, for attending the Clearing House duties. It was also the case of the said Bank that the assignment of duties, has no co-relation with seniority as claimed, as there is marked distinction between the category of workman coming within the scope of the said allowance and the procedural aspect thereof and further, the assignment of any duty, which by virtue of an order of the Tribunal, was claimed as the said allowance.

9. It has further been stated that the said circular dated March 24, 1981, Ext. W-1, was issued on the basis of a settlement by and between the said Bank and the Andhra Bank Employees' Union, was with regard to selection of Award Staff, for the purpose of drawing the said allowance and that provides that vacancy in such special allowance posts, is to be notified in the Unit and on receipt of applications from the eligible employees, the seniormost candidate should be offered the said allowance carrying post. It has been alleged that said Ext. W-1 has no application, so far as assignment to a clerk, the duty of attending Clearing House and such assignment, is beyond the scope and ambit of the said Exhibit. It was further indicated that the earlier Award on the point, which has been upheld upto the Supreme Court, do not stipulate any procedure for selection of workman coming within the scope of the said allowance any norm has been indicated or any co-relation has been drawn between the selection in respect of the said allowance in respect of special allowance post and selection of a clerk, for attending such duties and there is no direction either in any Award or otherwise, in respect of the prerequisites for deployment of clerks or that seniority should be required to be followed in case of necessary appointment being made for posting in Clearing House duties. In such view of the matter, it was claimed that payment of the said allowance to Sri De, was neither illegal nor bad or irregular or motivated as alleged.

10. Save as aforesaid, the statements contained in the Written Statement of the said Union have been disputed and really the written statement of the said Bank, against

that of the said Union, was based on the facts as indicated earlier. It has been specifically denied that the said Sri De was the leader of the other Union, as mentioned earlier. It has been stated that Ext. W-1 has no application in this case and the plea of appointment as Clearing House representative had or has no basis whatsoever and such claim was misconceived and further, in this case, there was no supersession at all, in the matter of selecting the said Sri De, for attending Clearing House duties. This claim of seniority, as claimed now, after a long time, has also been claimed to be an after thought. It has also been denied that there was any verbal representation by the said employees on the point in issue and it has been stated that such plea has been put forward to cover up the enormous delay that has admittedly taken place, in raising the pretended dispute. In any event, the fact of making verbal representations by the said employees, have been categorically denied.

11. It has been stated further that there is no scope for any intervention by this Tribunal, as in this case, there has neither been any malpractice nor illegality or irregularity committed, in deploying the said Sri De to the Clearing House duties and furthermore, in the facts of this case, the said employees cannot claim any right to such post. As such, it was stated, the prayers of the said employees, cannot and should not be allowed. It was further and specifically stated by the said Bank that the deployment of the said Sri De, to the concerned post, was not by way of appointment, but was only a case of assignment of duties, which again was only a management's function.

12. There was a rejoinder by the said Union, filed on June 19, 1991, where the points regarding the maintainability of the proceedings as raised by the said Bank, have been denied and disputed. Similarly, their locus standi to raise the dispute or espouse the cause has been denied. The allegations of non-application of mind, in making the Reference, have also been opposed and denied. It was repeated and reiterated that the said Sri De was unjustly favoured and he, in fact, superseded the said employees with the due machination by the said Bank. It has further been pointed out that in respect of the posting of the said Sri De, the said Bank has taken contrary and inconsistent stand. According to the said Union, Ext. W-1 is crystal clear in its scope and application and in allowing the said Sri De, to perform the duties of Clearing House representative, with which the said allowance goes, the said Bank has not acted in a bonafide manner or has duly followed the terms of Ext W-1. It has also been alleged that in this case, the said Bank has ignored the just and legitimate claims and demands of the said employees.

13. MW-1, who joined the Zonal Office of the said Bank on May 27, 1992, has stated about the agreement regarding selection of special allowance post, between the said Bank and the Employees Union and has also testified about Ext. W-1. He has said, selection of special allowance post is done permanently and according to him, all the Branches of the said Bank in a particular city, constitute one Unit. We have evidence in this case that Branches at Calcutta and Howrah constitute one Unit and the Zone of the said Bank is now comprised of West Bengal, Bihar, Orissa and Assam. It was testified by the witness that a seniority list is maintained and the seniormost employee of the Unit is regarded as seniormost. He has also stated that a zone wise seniority list is also maintained. According to him, one Branch of the said Bank viz. the Main Branch participates in the Clearing House of the Reserve Bank of India and at present and perhaps from September 1986, the said Sri De, has been deputed to such duty. He has also deposed that at the relevant time the said Sri De was the seniormost male clerk at that office and for that, he was deputed to such duty. He has spoken that at the time of such deputation, female clerks, senior to the said Sri De, were available, but, they were not selected for necessary deputation, following the practice of the said Bank, not to depute female clerks for the concerned duty. There has been no evidence that the female clerks are not at all suitable for Clearing House duties and as such, the above stand or the practice, said to be followed by them, is unintelligible and discriminatory too. The witness has further agreed, the Clearing House work is a regular work for the said Bank and such work, cannot be postponed, even for a day.

14. It was the evidence of his witness that for attending Clearing House duties, the said Sri De has received the said allowance, in terms of the judgement of the Labour Court

and which determination has been sustained upto the Supreme Court, as it would appear from Ext. M-2, as the Special Leave petition as filed, was dismissed. It was his further evidence that a clerk, drawing the said allowance, on transfer, foregoes such allowance for a month and thereafter, the said allowance is restored. But, a clerk, who is not drawing the said allowance, but is deputed to special allowance post, will have to forego such allowance, when transferred in other Branch and is asked not to perform such duty. It has been agreed by the witness that from Ext. W-4/1, it will appear that the said Sri De, was sponsored for the Clearing House duty, although the said employees, who were senior to him, were there, who, of course, were not employed at the Main Branch. According to him, Special Assistant, are allowed certain supervisory duties and their jobs are full-time jobs and there can not be any comparison between the jobs of Special Assistants and persons deputed to Clearing House duties.

15. It has been stated that in 1986 and 1989, many transfers were effected, but ultimately they could not be implemented because of serious agitations. But, he has said that according to him, the said Sri De should continue in the post until further orders or a regular selection is made. The circular Ext. W-1, according to him was not the agreement, but the same contained the terms of the settlement. According to him, for the proposed selection to the post, Calcutta Main Branch is not the sole Branch and according to him, in terms of Ext. W-1, all Branches in a city should be considered as one Unit and for that purpose, all Branches at Calcutta and Howrah are deemed to be one Unit. The Clearing House Allowance according to him, is a performance allowance. He has said that the Labour Court has made an Award, indicating how the said allowance should be paid to Clearing House representatives and for selection to such post, Ext. W-1 should be followed, and thus, the unitwise seniority should be the guiding factor.

16. It has been stated by him, as the said Sri De was the seniormost male clerk in the Main Branch of the said Bank, he was deputed for the concerned post, but at the same time, he has further agreed that for selection to the said post, Main Branch was not the only Branch for consideration and further, in terms of Ext. W-1, all the Branches at Calcutta and Howrah, will constitute one Unit and anybody attending the Clearing House, will get the said allowance, which is a performance allowance, which again is paid in terms of the Award as indicated earlier. He further indicated that for selection to the concerned post, Ext. W-1 should be followed and thus, unitwise seniority should be the deciding factor. It was also stated by him that the said allowance is equivalent to allowance, paid to the Special Assistants.

17. It was stated that as deputation to the concerned post is made from the Main Office, so the said Sri De was deputed. It was further stated that seniority list is prepared and maintained zonewise and for that Ext. W-1 will not be appropriate. It was the evidence of this witness that all special allowance carrying posts other than Special Assistant, are taken on unitwise seniority and although the said Sri De was in the lowest serial of Ext. W-4/1, he was senior in the Calcutta Main Branch. According to the witness, the circular Ext. W-1, lays down the procedure for selection for regular Special Assistant's post. He further agreed that in the said Bank, there was system of job rotation of clerks and such rotation is done once in six months. But, this witness has also agreed that the said Sri De is holding his present post in the Clearing House, since 1986. It was stated that the said Sri De would not get the said allowance, when on leave. By that, it was further sought to be established that the said allowance is a performance allowance. It is true that the said employees are not in the Main Branch, but they are posted within the Unit. The witness has said that for deputation, as in this case, here, there is no uniform procedure for selection, which is not in the case of the said allowance. He has further agreed that there is also no rule that an employee should continue on deputation for a post, for many years. The witness has further agreed that recruitments for special allowance posts are ordinarily done unitwise and for posting in Clearing House, the said Sri De's designation was not changed, he continued to be a clerk.

18. MW-2, Sri Soumaya Brata Sengupta, at the time of his deposition, was Sub-Manager, New Alipore Branch and

from July 1987 to July 1991, he was in the Zonal Office and then, he went to the Advance Department. He has said about the policy of transfer evolved in 1989, in respect of the clerical cadre, which could not be effected and according to him under such policy, employees working more than 5 years in a Branch, are liable to be transferred. According to him also, the said Sri De was not transferred for Clearing House, but he was deputed and on such posting, other employees objected. He has agreed that as such Clearing Agent, the said Sri De was drawing the said allowance and further, he was sent to the Clearing House, as the said Sri De was the seniormost clerk at the Main Office and he admitted that said employees were senior to him, but they were in other Branches. According to him, there was no violation of Ext. W-1, in deputing the said Sri De to the Clearing House. He has also indicated that the Rule relevant for deputation, as in this case, is that, the seniormost male clerk of the Main Office should be preferred. Then, he said that such Rule has been evolved basing on tradition and there is no circular. MW-3 Sekhar Roy Chowdhury, who joined the said Bank on June 2, 1977 and was currently posted as Departmental Officer at Salt Lake Branch, has said to have worked at many Branches of the said Bank and also at the Zonal Office. He has said to have performed Clearing House duties, while posted at the Main Office. His evidence was that although Ms. Krishna Dutta was senior to him, yet he was deputed for the above duties, which duties, according to him are of special type and which, the ladies cannot perform. According to him, he was selected for such deputation in 1985, as he was the seniormost male clerk at the Main Office. He has said to be knowing circulars of the said Bank, which require that seniormost male clerk of the Main Branch only, will be deputed for Clearing House duties. He was not also aware of Ext. W-1.

19. The said employees deposed individually. They are WWs, 1, 2 and 3. WW-1 Pranab Kumar Bandopadhyay, has stated that Clearing House Representatives get the said allowance under the Industrywise Bipartite Settlement and the rate of such allowance, is the same as Special Assistants, which allowance is given to the clerical cadre. He has stated that selection to the post, is made on the basis of seniority in the Unit and on the basis of Ext. W-1. He has spoken about the placement of the said Sri De in the concerned post since July 1986 and he was senior to the said Sri De. It was his evidence that the said Bank, although it was incumbent on them, did not declare the vacancy in the post of Clearing House Representative. This witness raised protest against the action of the said Bank and it was his case that he opted for the concerned post. He has further alleged that in taking the action as in this case, the said Bank has not followed the unitwise seniority. Such action was also claimed to be irregular and against long established policy of the said Bank. He further agreed that Ext. W-1, is relevant for sectional allowance and how selections are to be made. He denied that earlier than 1987, the said Clearing House post, was not available to the said Bank. He agreed that appointments in Special Assistants and Special Allowance posts, are to be made, in writing, but he was not aware, of such policy was followed in the case of the said Sri De or if he was appointed to the post, in writing. But, he was aware that for all the aforementioned posts, there are procedures for selection viz. vacancies are notified and so also, the qualifications and all employees are eligible to apply, and further, no interview is necessary. He denied that no such notification was necessary and the employees are asked to appear, in interviews and thereafter, selection is made in the ratio of 2:1. He indicated further that he was not senior to Ms. Rubi Mukherjee, Mr. Ramarao, Ms. Krishna Dutta and Mr. Gautam Sinha. He was not aware that if 2:1 ratio was followed, he could not get the special allowance post or if at all, he was entitled to apply for the post, as there was 10 employees above him, on the basis of either zonewise, or unitwise seniority. He did not deny that the question of seniority is dealt in or by Ex. M-1. His claim in this case related on the fact that he was senior to the said Sri De.

20. The depositions of the other two employees viz. Sanjoy Dey WW-2 and Somnath Sengupta WW-3, were more or less in the same line as that of WW-1 and there was another witness viz. Ashok Kr. Das, the Vice President 2775 GI/93-11.

of the said Association, examined as WW-4. He also indicated that the said employees were claiming the necessary benefits, as they were senior to the said Sri De. He indicated that, in the determination of the Labour Court, which according to the said Bank, was sustained upto the Supreme Court, there was no such directions, for which the said Sri De could get the Clearing House posting, in preference to the said employees. He was not aware of the steps taken by the said Bank, but said that he was aware that the said allowance is paid to the Clearing House representatives. The witness agreed that Ext. W-1 or the terms thereof were circulated and that exhibit shows the procedure for entrustment of special allowance posts and in 1989, the said Bank issued a Circular, enumerating the procedure for entrustment of special allowance posts and further creation of such posts or the number thereof is in the discretion of the said Bank and the holders of Clearing House posts, get the said allowance for such special and extra work done. The validity of the procedure and the manner by which the said Sri De was preferred in this case, was denied and disputed. He, of course, agreed that if the Clearing House posting is taken away from the said Sri De, the said employees will be entitled to special allowance posts, but he denied that the said employees have no right to maintain their claim.

21. Mr. Ramacharyulu, appearing for the said Bank indicated that West Bengal, Bihar and Assam constituted a zone, while the unit is comprise of Calcutta and Howrah. According to him, Ext. W-1, the Agreement of 1981, is the procedure for selection. He further pointed out that the said allowance is being paid to various categories of employees of the said Bank, in terms of Bipartite Agreements and the employees of the said Bank, get the said allowance for performing special duties. He also, on a reference to the Reference, which deals with Clearing House or the duties therein, indicated that the Reference was thus, on the grounds as indicated earlier, not maintainable. It was his submission that creation of Special Assistant posts, was managerial function, and, discretion and on such use of discretion, the said Sri De was given the posting at the Clearing House, in July, 1986. He also indicated that earlier in 1983, proceedings having taken under Section 33C(2) of the said Act, the matter was adjudicated and Mr. Justice E. K. Moidu the erstwhile Labour Court, by an order dated April 15, 1976, made in Application Nos. 71 to 86, 88 to 93 and 97 to 100 of 1969, directed the concerned Bank or their representatives-in-interest, to pay Special Allowance at the rates claimed under paragraph 5.2 of the Bipartite Settlement and at the higher rates as fixed in the later settlement dated October 12, 1970 till they continue working as Bank representative at the Clearing House of the Reserve Bank of India, Calcutta. This order, on a Reference to Ext. M-2, was claimed to have become final, as the concerned Special Leave petition was dismissed. From that order, it will appear that applications under Section 33C(2) of the said Act were filed by the employees of 17 Banks, to recover certain sums of money due to them, as Special Allowance, for the period, they had worked at the Clearing House of the Reserve Bank of India, Calcutta, as the Bankers' representatives. It was an admitted fact in these cases, the claimants concerned, had worked as Bankers' representatives in the said Clearing House and such claims for the said allowance were based on the Bipartite Settlement dated October 19, 1986, as the employees had performed the duties and functions as Special Assistants, involving greater skill and responsibilities, in addition to their routine work, as clerks.

22. In that order, on consideration of the relevant paragraphs of the Bipartite Settlement it has been found ultimately, that the control of the Clearing House, has been under the Reserve Bank of India, since 1947 and the object of the Clearing House, is to make arrangements for speedy and economic collection of cheques, bills and other documents, payable or deliverable at or through the offices of the members (the Banks, who are members), of the House, situated at Calcutta, by a system or systems of clearing. It has further been indicated that the clearing work is conducted and maintained under a Code of Conduct, known as Calcutta Banking Clearing House Regulations. Before the said Labour Court, the employees founded their claims on the relevant paragraphs of the said

Regulations, as quoted in the Award and also on the provisions of the Bipartite Settlement and after considering them and so also the manner and way of the workings of the employees and the evidence as tendered and so also, a judgment of the Supreme Court of India as indicated in paragraph 21 above, was arrived at.

23. It was also the contentions of the said Bank that only Calcutta Main Branch of the said Bank, participates in the Clearing House of the Reserve Bank of India, Calcutta and the post of Clearing House Representatives, is not a Selection post and according to the practice, nomination to such post, is done on Zonewise Seniority.

24. In addition to his submissions as indicated earlier, Mr. Ramacharyulu further indicated that the post carrying the said allowance, is specified in Chapter-V of the Bipartite Settlement dated October 19, 1966 and selections to the post carrying the said allowance, are guided by Ext. W-1. It was further indicated by him that Unitwise seniority is considered, for selection to posts carrying the said allowance and Calcutta and Howrah forms one Unit, for the purpose of Unitwise seniority. He then indicated that the duties, in connection with the posts carrying the said allowance, are over and above the normal clerical duties and there may be various kinds of special allowance duties as indicated in the above mentioned settlement. According to him, each post carrying the said allowance, carries a fixed amount, as fixed by the said settlement and the amount of the said allowance, also varies from post to post.

25. Mr. Ramacharyulu further pointed out that creation of posts carrying the said allowance, is within the discretion of the Management and no one can compel them to create, posts carrying the said allowance. Special Assistant's post, according to him, is one of the categories of the special allowance posts and sometime, clerks are deputed to perform such special allowance post duties, on payment of Special Allowance, for performing the additional duties. As such, he claimed that the said allowance is a performance allowance. He indicated further that there is a difference between selection to the post, carrying the said allowance and deputation to such post. He indicated further that in Selection posts, seniority may be unitwise or zonewise, depending on the nature of posts and he re-stated that such seniority, is fixed either unitwise or zonewise. According to him, unitwise seniority in this case, would mean seniority of the clerks in Calcutta and Howrah zone and a clerk, selected for such post, will not lose his special allowance, on transfer to any other Branch and he would continue to get his allowance, at his new place of posting and so, his allowance will be protected. But he indicated that a clerk, who is attending to any other Branch, would lose the special allowance, as it is not a posting by selection. The incidents of deputation, according to him, does occur, very rarely.

26. On the facts of this case, he submitted further that Calcutta Main Branch participates in Clearing House of R.B.I. and a clerk is deputed to such Clearing House. According to him, on such deputation, he puts and signs the statements and vouchers on behalf of his employer Bank and generally, a senior clerk is deputed to such post. He further indicated, the above practice is being followed by the said Bank for a long time. He pointed out that one Biswanath Haldar, who was working at Calcutta Main Branch of the said Bank, was attending to the above duties on deputation and at that time, an Industrial Dispute was raised by other clerks, claiming the said allowance, for the job performed by them, whereupon, the Labour Court passed an Award in favour of those clerks, declaring that the duties performed by them were one amongst the many duties performed by the Special Assistant and directed all the Banks as involved therein, to pay the said allowance. It was pointed out that against such Award, the Supreme Court has moved, but the concerned Special Leave Application was not admitted and as such, the Award as mentioned above, became final and binding on all Banks and for that reason, all Banks started paying the said allowance, to all those clerks concerned and to those, whoever was deputed to R.B.I. for performing Clearing House duties.

27. After giving some instances of the employees, who were deputed from Calcutta Main Branch to Clearing House duties, Mr. Ramacharyulu indicated that after one Shekhar Roy Chowdhury was promoted, the said Sri De, who was

working in Calcutta Main Branch since 1986, was deputed to the Clearing House of R.B.I. and as he is attending to such work on deputation, he is paid such allowance, which is payable to Special Assistants. According to him, in terms of the Bipartite Settlement, any one, who attends the duties enumerated to Special Assistants' category, would be entitled to the said allowance. It was further been pointed out that in 1987, Special Assistants post were introduced in the said Bank, for all the zones, including Calcutta Zone and for that zone, 3 posts of Special Assistants were sanctioned and those clerks, who were seniors zonewise, were selected, after interview.

28. Mr. Ramacharyulu indicated further that the said employees are senior to said Sri De and after the said Sri De's posting, they raised this dispute, claiming that since the said Sri De was junior to them, he ought not to have been entrusted to the post. Mr. Ramacharyulu contended that there was no merit or basis for such claim, as the said Sri De was not selected to the concerned post, but he was deputed to the same. He further indicated that there is no designation of Clearing House representative either in the Bipartite Settlement or in Special Allowance agreement. According to him, in terms of Labour Court's Award as mentioned earlier, which was really upheld by the Supreme Court, the question of selection to the post of Clearing House representative, as per the Special Allowance Agreement, could not arise and so, there would also be no doubt that the posting of a clerk to that post, is only by deputation and whoever is deputed, will be paid the said allowance, which is being paid to the Special Assistants. It was further submitted by him that in the absence of the said Sri De, the next senior clerk available i.e. Sri Borai, in the Branch was deputed and on such deputation, he was also paid at par with the Special Allowance. It was further indicated by him that there were other senior officers than the said employees, who are working at Calcutta and Patna and are zonewise seniors and if any view, other than the view as expressed by the said Bank is taken, they will have to be considered prior to the said employees and so, if any one of them is selected, they will have to be transferred back to their place of posting in the Calcutta Main Branch, which may create Administrative Deadlock. Mr. Ramacharyulu also referred to the difficulties, the said Bank faced earlier, in the matter of implementing the policy of transfer and submitted that since such transfer could not be given effect to, so the posting of the senior clerk, available at Calcutta Main Branch to the post of Clearing House representative as made in this case, was adhered to and thus the steps as taken, be allowed and that too for maintaining Industrial peace and harmony.

29. In view of the above, it was submitted by him that there should be an Award that the post of Clearing House representative, does not find place in the Bipartite Settlement and the said job is not based on the Special Allowance Agreement. It was further indicated by him that there should be an order that the payment of such allowance, is by virtue of the Award as mentioned above and since the practice of deputation is in existence for a long time and such practice has been carried on without any objection, so, the said employees have no basis for their claim. He further prayed for an order that creating of Special Allowance post be decided, to be the prerogative of the Management and they cannot be compelled to create such posts. Further, deputation to the Clearing House work, would not come in the purview of Special Allowance duties. He further submitted that for the difficulties as experienced by the said Bank and the particulars whereof, have been indicated earlier, no Award should be made, which would create a fetter for the said Bank, to maintain Industrial peace and harmony. He further indicated that deputation to Clearing House work at R.B.I. cannot be stopped or postponed, even for a single day and as such also, the practice, which is so long being followed uniformly and successfully, should not be stopped. He further contended that for deputation, there is no time limit and it will be within the discretion of the Management, as such deputation, is not within the purview of Special Allowance Agreement.

30. Mr. Ramacharyulu further pointed out that the said employees are working in different Branches and not at the Calcutta Main Branch and as such, their prayers cannot be allowed. He further pointed out that if a senior in the zone is to be posted to Calcutta Main Branch, then, it is Saraj Kumar Ghosh, who is now working at Patna, should be brought back and that would create various administra-

tive difficulties. It was further pointed out by him that the said Sri De. is the seniormost clerk in the Main Branch and so he was deputed to the Clearing House as Calcutta Main Branch participate in the Clearing House of R.B.I. and no other Branch, takes part in such work and so, the said Sri De, according to him, was duly deputed to the Clearing House duties. He also indicated that the Special Allowance Agreement, if at all, will not also have any application in this case, as this is a case of deputation and furthermore so, when there is no rule, as to how long a person can be deputed to Special Allowance duties.

31. Mr. Bhunia, appearing for the said Association, pointed out that the said Sri De, was engaged in July, 1986, as Clearing House representative in R.B.I. and since then, he is holding that post, which has been, as indicated earlier, is entitled now to Special Allowance of Rs. 524 per month. This, Mr. Bhunia submitted, the said Sri De, is enjoying since November 1, 1987. According to him, the said allowance, is given to the Clearing House representative, in terms of the Award of the Labour Court, as mentioned earlier, which has also been upheld by Ext. M-2. He submitted that, incidentally, granting of the said allowance, has been provided in the various Bank Awards viz. Desai Award, Sastri Award and Bipartite Agreement. The said allowance, according to him, is payable to Clearing House representatives, on the basis of the proceedings as above. Mr. Bhunia pointed out, Ext. W-1 was issued by the said Bank, pursuant to the substantive agreement by and between them and Andhra Bank Employees Union, a recognised Union and that Exhibit, contains the guidelines, for granting the said Allowance and the pertinent point in the matter is indicated in paragraph 1, which states inter-alia that the eligibility for entrusting the said Allowance, shall be determined on the basis of seniority in the cadre and paragraph 2(a) states that for the purpose of entrustment of the said allowance, a place with more than one branch, Regional office will be considered as an Unit. He then relied on paragraph 3 of the said exhibit, whereunder, the employees working within the Unit, can opt for the said allowance and if more than one employee opts for one vacancy, the seniormost amongst them, will be entitled to such duty. That paragraph also indicates that if however, no body opts to such vacancy, the senior most in the Unit, shall be posted and the mode, indicating such vacancy to the Units, be left to the Regional Authorities.

32. Mr. Bhunia further indicated that the said Bank has about 10 Branches/Offices in West Bengal, including Calcutta and Howrah, which together forms one Unit. According to him, Ext. W-6 will testify the facts that Branches at Calcutta and Howrah, will form one Unit and this fact according to him, has also been brought out in evidence in this proceeding. After pointing out such fact, Mr. Bhunia claimed that the entrustment of the said allowance to said Sri De was thus, not in conformity with Ext. W-1, more particularly when, there was no Notification calling applications for option from the employees working within the Unit and the seniormost employee in that Unit, has not been entrusted with the said allowance. According to him, the said Bank has also testified to the facts as stated hereinbefore. On the basis of the Ext. M-1, he claimed that, thus the entrustment as made in favour of said Sri De, was not in conformity with Ext. W-1.

33. Mr. Bhunia, pointed out that it would appear from Ext. W-4, which is a document, issued by the said Bank and which is the seniority list of clerks in Calcutta zone that the said employees were admittedly seniors to said Sri De taking into consideration their respective dates of appointments and allocation of Code numbers, by the said Bank. Thus looking into the matter from any angle, Mr. Bhunia claimed that the said Sri De was the junior most admittedly, junior to the said employees. Such being, the position Mr. Bhunia claimed and observed that even on the basis of unitwise seniority or zonewise seniority the said Sri De was much junior to the said employees. He pointed out that such fact will also be available from the evidence not only of the Management's witness, but also witnesses on behalf of the said Association. It was also pointed out by him that while on Ext. W-4, MW-1 agreed that when the said Sri De was sponsored for Clearing House duties, there were 3 employees viz. the said employees, who

were seniors to him and they were posted at Ballygunj and Howrah Branch of the said Bank. It was further claimed by Mr. Bhunia that the posting of the said Sri De, to Clearing House duty, was thus, in supersession, at least of Sarbashree Sanjoy Dey, who was posted at Ballygunj Branch, Sonmath Sengupta and Pronab Bondhopadhyay, who were posted at Howrah Branch and they raised protest and resisted against the action of the said Bank, in posting of said Sri De to the Clearing House duties and also claimed the concerned practice, to be unfair. It was then pointed out by Mr. Bhunia that there was no doubt and dispute that the said employees duly lodged protests and made representations against the illegal and unilateral action of the said Bank, in having them superseded by the said Sri De. It was also contended by him that the determinations as made by the Labour Court and upheld by the Supreme Court by Ext. M-2, will not apply in this case, as there, the persons claimed or rested their rights on the basis of their attending Clearing House duties, which incidentally, is not the case here, but the principles as indicated, can be looked into and followed. Here, Mr. Bhunia claimed that the said employees were claiming posting to the Clearing House duties, on the basis of the admitted Unitwise seniority and Ext. M-1 also admitted that the Labour Court in the earlier proceedings, had not said anything about the mode/procedure of selection to Clearing House representative and according to him, there is no determination by the said Labour Court or the Supreme Court that juniors should supersede the senior clerks, overlooking their respective Unitwise seniority. Thus, the stand as taken by the said Bank on the basis of the determinations as indicated, in the matter of posting of said Sri De to the Clearing House duty, was claimed to be an after thought and such submissions were also put forward against the claim of the said Bank that the said Sri De was deputed to the post, which according to them, was a managerial function. In fact, it was specifically pointed out by Mr. Bhunia that the word "deputation" is a coinage of the said Bank, which will not receive any support from any Awards, determinations and circulars.

34. The claim of the said Bank that job of Clearing House representative is entrusted or required to be entrusted, only from Calcutta Main Office of the said Bank, Mr. Bhunia pointed out, was really defence less, on the basis of the submissions as indicated earlier. He pointed out that since the said employees were unitwise seniors to the said Sri De, so, before placing him to the Clearing House duty, options should have been asked for from the said employees and on their refusal to accept such options, the posting in favour of the said Sri De, if at all, could have been made. But, since such options were not asked for from the said employees or any senior clerks available in the Unit or even available in the Main Branch, the entire action was void. Mr. Bhunia also pointed out, apart from the said employees, there were and are other senior female clerks, admittedly available in the Branch and even, they have not been considered. He pointed out that even though MW-3 has said that female clerks are not suitable for Clearing House duties, there was in fact, no basis for such claim, as admittedly, female clerks are posted as Clearing House representatives by other Banks and they are duly performing the duties. In fact, Mr. Bhunia pointed out that there is no special feature in the matter of performing Clearing House representative duties for which, it can be observed that female clerks are not suitable. Such stand as taken by the said Bank, was also claimed by Mr. Bhunia to be discriminatory. He submitted that, on following the procedure as indicated earlier, the said Bank should be directed to ask for options from all available senior clerks of the Unit, before placing a junior clerk to the post of Clearing House duties or alternatively, such postings may be made, on rotational basis. In fact, Mr. Bhunia submitted that since, no such rotational basis was followed, the said Sri De, although was admittedly junior, is enjoying the facilities of the said allowance for a long time and if no such procedure as above, is directed, he will go on earning such advantages for eternity, which should be avoided, and thus, the expected demoralising effect on the other intending candidates, can be avoided. In fact, it was also pointed out by him that there was no circular from the said Bank, which prohibit the making of options, available to senior clerks in the Unit or Zone and there is also no Circular, prohibiting the employment of female clerks to the post of Clearing House representative. Regarding such appointment on deputation he said must be made from Calcutta Main Branch. He submitted further that unless the views as expressed by him are accepted or taken, there would be floodgates open, for discrimi-

mination. In fact, it was also pointed out by Mr. Bhunia, on a reference to MW-3 that he has ultimately agreed that the duties of Clearing House representatives, are not of such special type, which cannot be performed by ladies and so he contended, the claim of any lady clerk, on opting, cannot be overlooked.

35. It was thus pointed out by Mr. Bhunia that the said Bank should be asked to make the choice of Clearing House representative from the seniormost agreeable clerks, be he a male or female, from the Unit, i.e. Branches in Calcutta and Howrah and if that is done, then, there would also be no administrative deadlock as in that event, the employees will not be required to be drifted from far away Branches of the said Bank. He also submitted that to keep up the morals of the employees, the appointment to the post of Clearing House representative, must be made on rotational basis, as in that case, there will be no discrimination and employees will receive due and necessary opportunities. He further agreed that Calcutta Main Branch of the said Bank is the link Branch and the seniormost employee of the Unit, wherever he is posted in the Unit, has to be brought to the said link Branch, if selected, on option. The submissions of Mr. Bhunia, can be accepted in case of general appointment to the post of Clearing House representative to R.B.I. but there should be some exceptions in respect of temporary postings, required for any unavoidable reasons, as Clearing House work cannot be suspended. In such a contingency, any available clerk, according to the seniority in the Main Branch, can be appointed temporarily.

36. It is needless to point out that appointments to Clearing House of the R.B.I., should only be made in terms of the observations in paragraph 35 above and such appointments be made on rotation basis, at least for a period of one year and in no event, appointments to such post, in respect of one employee, should be made for eternity. I feel that if steps are taken in the manner as indicated, there will be no violation of Ext. W-1 and in fact, if appointments are made in that manner, there would be due compliance with the requirements of Exts. W-1 and M-1.

37. In view of my findings and observations as above, I feel, the appointment of the said Sri De which is continuing for a long time, is not proper. As such, I direct that within 2 months from the publication of this Award, the said Bank should take steps to make necessary appointment to the post of Clearing House representative to R.B.I. and till then and no further, the said Sri De can continue in his present posting. His case, can of course, be considered on merits along with others.

38. The post of Clearing House representative to R.B.I. being one as said, the prayers for all the said employees, to that post cannot be allowed. If at all, the seniormost of them could claim such posting. That being the position, the Clearing House representative's allowance cannot now be given to all of them.

39. Thus, the Reference should be answered in favour of the said employees and in the manner as indicated in paragraphs 36, 37 and 38 above.

40. This is my Award.

Dated, Calcutta,

The 2nd November, 1993.

MANASH NATH ROY, Presiding Officer

नई दिल्ली, 24 नवम्बर, 1993

का.आ. 2780.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बाम्बे सरकारटाईल कार्पोरेशन बैंक लिमिटेड के प्रबंधन के संबंध निधियों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1, मुम्बई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-11-93 को प्राप्त हुआ था।

[संख्या एन-12011/36/90 आई आर (बी III)]

एस. एम. के. राव, डैस्क अधिकारी

New Delhi, the 24th November, 1993

S.O. 2780.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the Awards of the Central Government Industrial Tribunal, No. 1, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bombay Mercantile Co-op. Bank Limited and their workmen which was received by the Central Government on the 24-11-93.

[No. L-12011/36/90 IR (B.III)]

S. S. K. RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

Present :

Shri Justice R. G. Sindhakar, Presiding Officer.

REFERENCE NO. CGIT-2 OF 1991

Parties :

Employers in relation to the management of Bombay Mercantile Co-op. Bank Ltd.

AND

Their workmen.

Appearances :

For the Management : Shri P. K. Rele, Advocate.

For the Bombay Mercantile Co-op. Bank Employees Union : Shri Gadkari, Advocate.

For the Bombay Mercantile Co-op. Bank Workmen's Union.—Shri S. M. Dharap, Advocate.

INDUSTRY : Banking

STATE : Maharashtra

Bombay, dated the 12th day of November, 1993

AWARD

The following reference has been made to this Tribunal by the Government of India, Ministry of Labour, New Delhi by letter dated 8-1-1991, for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947.

"Whether the action of the management of Bombay Mercantile Co-op. Bank Ltd. in not paying the 2nd instalment of arrears and not finalising the pending issues by negotiation by July 1990, as agreed in Memorandum of Understanding dated 23-3-90 is justified? If not, to what relief are the workmen entitled to?"

On behalf of the workmen, statement of claim has been filed and the management has filed its written statement.

When the matter came up before me, for hearing, on behalf of the Bombay Mercantile Co-op. Bank Workers' Union, at whose instance this reference was made to this Tribunal, filed a statement stating therein that the Union does not press the reference and such a decision has been taken by the Union at the Managing Committee Meeting held on 11-9-1993. Request was therefore made to dispose off the reference as not pressed.

In view of this, the present reference is disposed off. Award accordingly with no order as to costs.

R. G. SINDHAKAR, Presiding Officer

नई दिल्ली, 24 नवम्बर, 1993

का.आ. 2781.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ़ बीकानेर एण्ड जयपुर के प्रबंधन के संबंध निधियों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1, मुम्बई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-11-93 को प्राप्त हुआ था।

[संख्या एन-12012/221/89 आई आर (बी III)]

एस. एम. के. राव, डैस्क अधिकारी

New Delhi, the 24th November, 1993

S.O. 2781.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, No. 1, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of Bikaner and Jaipur and their workmen, which was received by the Central Government on the 24-11-93.

[No. L-12012/221/89 IR (B-III)]
S. S. K. RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, BOMBAY

Present :

Shri Justice R. G. Sindhakar, Presiding Officer.
REFERENCE NO. CGIT-52 OF 1989

Parties :

Employers in relation to the management of State Bank of Bikaner and Jaipur.

AND

Their Workmen

Appearances :

For the Management : Shri Kulkarni, Advocate.

For the Workmen : Shri B. W. Vaidya, Advocate.

INDUSTRY : Banking

STATE : Maharashtra

Bombay, dated the 9th day of November, 1993

AWARD

Government of India, Ministry of Labour, New Delhi has made following reference to this Tribunal under section 10(1)(d) of the Industrial Disputes Act.

"Whether the action of the management of State Bank of Bikaner and Jaipur in not regularising the services of Mr. Pramod Kumar Singh, Care taker of the Bank's Guest House with effect from 9-11-1984 is legal and justified? If not to what relief the workman is entitled to?"

2. The statement of claim has been filed by the General Secretary, Employees Union and the Bank has filed written statement through the Manager, Industrial Relations, State Bank of Bikaner and Jaipur.

3. Shri Pramod Kumar Singh was, according to him, appointed to work as Attendant/Caretaker in Bank's Guest House at Bandra on or about 9th April, 1984. He was thereafter, transferred to the Guest House of the Bank at Malad. He looked after and maintained the Guest House in his capacity as attendant/caretaker. He has to allot visiting officers' rooms when they come to stay in the Guest House as per orders of the allotment brought by them. He has to collect the rent and charges from them and look after their comforts, and he deposited the amount received with such officer appointed by the Bank. A register of visitors was maintained in the Guest House and he was to see that visiting officers made entries. He was to supply linen and bed sheets and get them washed and pay for washing charges. It was his duty to keep the premises clean, prepare tea/coffee and snacks for the visitors. About 100 visitors stayed in the Guest House in a year and it exceeded 150 at Malad Guest House where junior officers stayed. He was paid initially Rs. 200 per month and Rs. 750 at the relevant time. He was requesting the Bank to extend him all the facilities enjoyed by the subordinate staff of the Bank and the Bank however, did not accept his request. It was the contention of the Bank that he was given contract and he was not an employee of the Bank. After their negotiations failed reference has been made.

4. The Bank had denied the averments made. It was contended that the reference was not maintainable and this Tribunal had no jurisdiction to entertain the reference and give relief as

he was not an employee of the Bank and therefore, not a workman. The other contentions have also been raised and it is not necessary to refer to all of them in view of the fact that, the parties to dispute have arrived at amicable settlement, the terms of which are filed before me. The terms of settlement are marked 'X'. It is agreed that Shri Pramod Singh will be appointed as part-time employee with effect from today, that is 29-10-1993 and will be paid 3/4th of the wages/salary as applicable to subordinate staff of the Bank. He will be paid the difference between the wages he has received and the 3/4th wages/salary of the subordinate staff for the period 1-6-1992 to 28-10-1993 as ex-gratia amount. He will be on probation for a period of six months from 29-10-1993 and will be confirmed on 3/4th wages/salary on completion of his satisfactory probation of six months. In view of this settlement the parties requested me to make an award accordingly. Shri Pramod Singh as well as the Chief Manager, Industrial Relations, who have signed the terms of settlement marked 'X' admitted before me that they are correct and learned Advocates appearing on either side have also signed the same. I find the settlement fair and reasonable and therefore, pass award in terms of settlement marked 'X'.

R. G. SINDHAKAR, Presiding Officer

नई दिल्ली, 25 नवम्बर, 1993

का.प्र. 2782.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तर्गत में, केन्द्रीय सरकार और राष्ट्रीय स्टेट बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अन्तर्वेध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, उड़ीसा, भुवनेश्वर के पंचोद को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-11-93 को प्राप्त हुआ था।

[संख्या एन-12012/129/91-आई आर (बी-iii)]

एस. एस. के राव, डेस्क अधिकारी

New Delhi, the 25th November, 1993

S.O. 2782.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Orissa, Bhubaneswar as shown in the Annexure, in the industrial dispute between the employers in relations to the management of State Bank of India and their workmen, which was received by the Central Government on 25-11-1993.

[No. L-12012/129/91-IR (B-III)]

S. S. K. RAO, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

PRESENT :

Sri R. K. Dash, LL.B., Presiding Officer, Industrial Tribunal, Orissa, Bhubaneswar.

Industrial Dispute Case No. 26 of 1991 (Central)
Bhubaneswar, the 18th November, 1993

BETWEEN

The management of State Bank of India, Phulbani Branch
P.O. Phulbani, Dist. Phulbani—First party-management.

AND

Their workman Sri B. B. Patnaik, At/P.O. Golbai, P.S. Jankia Dist. Puri—Second party-workman.

APPEARANCES :

Sri S. N. Das, Advocate and Sri Kishore Kumar Patnaik, Branch Manager—For the First party-management.
Sri L. Pangari, Advocate—For the Second party-workman.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon them by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Dispute Act, 1947 (14 of 1947) (for short 'Act') have referred the following dispute for adjudication vide their Order No. L-12012/129/91-IR (B-II) dated 18th July, 1991 :—

"Whether the action of the management of State Bank of India, Phulbani Branch, in refusing employment to Sri B. B. Patnaik with effect from 27-7-85 is justified? If not, to what relief the workman is entitled to?"

2. Shortly stated, the case of the workman is that he was a Clerk in the State Bank of India and during 1985 was posted at Phulbani branch. He availed leave for three days i.e., 11-4-85 to 13-4-85 and proceeded to his native place. While at home, he suffered from Peptic Ulcer and remained under the treatment of the Bank's authorised doctor at Puri. He accordingly intimated the Branch Manager and prayed for extension of his leave. After being cured he came to the branch on 27-7-85 and submitted his joining report along with medical certificate but the Branch Manager did not accept his joining report and allow him to work. Feeling helpless he moved from post to pillar which did not yield any result. He met the Regional Manager to redress his grievance but he did not render any help. Then he complained to the Chief Regional Manager. It also met with the same fate. According to him, he was desirous to resume his duty after return from leave but he was not permitted. He, therefore, urges that since Branch Manager's action in refusing him employment amounts to termination of his service the same should be held to be bad in law for the reason that the statutory provisions relating to condition precedent for retrenchment as envisaged in Section 25-F of the Act were not complied with. He further complains that the principles of natural justice were violated inasmuch as, no opportunity of hearing had been afforded to him before doing away with his service. Hence, he prays that the action of his employer as aforesaid should be held to be arbitrary, illegal and unjustified and he be reinstated in service with full back wages.

3. On the other hand, the case of the management in brief is that the workman, a Clerk in Phulbani Branch left for his native place on leave for three days, on expiry whereof he neither returned to his duty nor did he extended his leave assigning reasons. So, by telegrams and registered letters he was informed to resume work but he did not. On the other hand he sent a telegram and intimated the Branch Manager that he would join his duty on 30-6-85. Even on that day he neither turned-up nor made any further communication. Only on 27-7-85 he came to the Branch and wanted to join his duty. The Branch Manager then enquired the reasons of his absence to which he gave out that being ill during all these days he could not come. The Branch Manager then advised him to furnish a medical certificate in support of his illness. At this, he left the Bank and did not turned-up thereafter.

As the absence of the workman from duty was more than 90 days, as per clause-XVI of the Bipartite settlement dated 17-9-84 governing the service conditions of the Bank employees it was presumed that he voluntarily left his service. In this view of the matter, it would be wrong to say that the management had terminated his service.

4. The learned counsel for the workman having made a brief reference to the pleadings evidence both oral and documentary, and the relevant clause of the bipartite settlement strenuously urged that the Branch Manager's refusal to accept the joining report and permit the workman to work is illegal and without jurisdiction since because he was not the competent authority to do so. If he was of the opinion that the absence of the workman was a misconduct, counsel argued, he should have reported against him to his authority for taking necessary action in accordance with law. He further submitted that the bipartite settlement on which

the management strongly relies upon rather supports the case of the workman and not the management.

Per contra, the learned counsel for the management submitted that according to the bipartite settlement between the management and the Bank's employees, unauthorised absence of the workman from duty for more than 90 days amounts to cessation of work. He further argued that the documents brought in evidence by the workman in support of his plea that he being ill remained under the treatment of the Bank's authorised doctor and that he intimated the Branch Manager extending his leave are all false and fabricated.

5. In view of the pleadings of the parties and the arguments advanced by their counsel, as aforesaid, the crux of the issue is whether the Branch Manager's refusal to accept the joining report as pleaded by the workman amounts to termination of his service. If this is answered in the affirmative, the next question to be considered is whether such refusal is legal and justified. On the other hand, as submitted by the management whether absence of the workman from duty for more than 90 days amounts to voluntary abandonment of work in view of the terms of the bipartite settlement dated 17-9-84.

6. Both parties have led oral and documentary evidence in support of their respective case. As deposed to by MW-1, after expiry of three days leave the workman did not turn-up to duty nor did he send any application extending his leave. So, two telegrams and a registered letter were sent informing him to immediately join his duties. Despite of that he did not. It was only on 27-7-85 that he came to the branch and met him at his chamber and expressed his desire to join. On being questioned as to the reason of his absence for so many days, he replied that because of his illness all throughout he could not come. When asked to produce medical certificate in support of his illness, he left the chamber and was not seen thereafter. On being cross-examined, he admitted that on 27-7-85 he did not allow the workman to join and sign the attendance register. The workman, WW-1 on the other hand in his evidence has explained the reasons of his absence. He would say that he took three days leave and left for his village to attend his ailing mother. But while at home he suddenly fell ill for which he could not come to his service place. So, he sent two leave applications by post under certificate of posting. He has proved the copy of the leave applications marked Exts. B and C and the postal receipts Exts. D and D/1 showing despatch of those two applications under certificate of posting. In support of his illness he has also brought in evidence the two certificates Exts. E/1 and E/2 issued by his treating physician who was no other than the Bank's authorised doctor. The management has seriously challenged this part of his evidence urging that the medical certificates and the postal receipts have been fabricated for the purpose of this case. It is argued that if due to illness he could not move out for which he had to extend his leave, then there was no reason why he did not mention the same in his application Ext. 7 addressed to the Chief Regional Manager, Bhubaneswar.

7. On an appraisal of the evidence of the parties, I find that the absence of the workman from duty was beyond his control. Doctor's certificate Exts. E/1 and E/2 are prima facie indicative of the fact that he suffered from various ailments and remained under the treatment of the bank's authorised doctor. Postal receipts Exts. D and D/1 go to show that two envelopes which bear postal seal with date were sent in the address of the Branch Manager, Phulbani. WW-1 also speaks in his evidence to have despatched his leave applications through post. According to law, once it is established that a letter has been despatched in one's correct address by post it shall be presumed that it has reached the addressee. True it is, the workman in his application Ext. 7 dated 7-5-85 addressed to the Chief Regional Manager omitted to mention about his sending the leave application by post, but the same in my opinion will not give a lie to his sworn testimony since because in his complaint to the Regional Manager, Ext. F he has clearly stated that he addressed two letters to the Branch Manager praying for extension of his leave. On an evaluation of the evidence of the witnesses, I am of the considered opinion that the workman being ill extended his leave and sent the leave applications to the Branch Manager by post.

From the admission of the Branch Manager, MW-1 that he did not permit the workman to join his duty, I gather an impression that he behaved as if he was the appointing as well as the disciplinary authority of the workman. Evidence is lacking that the Branch Manager was either competent or he had the consent of the authority concerned to refuse the workman to work. In normal course what he ought to have done is that he should have accepted the joining report and permitted him to work and then reported the authority to take appropriate action against him in accordance with law.

8. The relevant clause-XVI of the bipartite settlement dated 17-9-84, a reference of which has been made by the management in support of its stand, did not permit the Branch Manager to act in the manner he did in the present case. For better appreciation and for clarity the said clause is reproduced hereunder :—

“Where an employee has not submitted any application for leave and absents himself from work for a period of 90 or more consecutive days without or beyond any leave to his credit or absents himself for 90 or more consecutive days beyond the period of leave originally sanctioned or subsequently extended or where there is satisfactory evidence that he has taken up employment in India or the management is satisfied that he has no present intention of joining duties, the management may at any time thereafter give a notice to the employee's last known address calling upon the employee to report for duty within 30 days of the notice, stating, inter alia, the grounds for the management coming to the conclusion that the employee has no intention of joining duties and furnishing necessary evidence, where available. Unless the employee reports for duty within 30 days or unless he gives an explanation for his absence satisfying the management that he has not taken up another employment or avocation and that he has no intention of not joining duties, the employee will be deemed to have voluntarily retired from the bank's service on the expiry of the said notice. In the event of the employee submitting a satisfactory reply, he shall be permitted to report for duty thereafter within 30 days from the date of the expiry of the aforesaid notice without prejudice to the bank's right to take any action under the law or Rules of service.”

On a bare reading of the aforesaid clause what is deducible is that it shall be the duty of the employer to serve a notice on the concerned workman mentioning reasons of his satisfaction that the workman has no present intention to join his duty as because he remained absent for a period of 90 days

or more or that he has taken-up any other employment in India. On receipt of such notice, the workman is left with two opportunities; he may either report for duty within 30 days of the receipt of such notice or he may submit satisfactory explanation that he has not taken-up any other avocation of life elsewhere and that he has no intention of not joining his duty. If he fails to comply with either of the two, he will be deemed to have voluntarily abandoned the Bank's service. In the event he submits satisfactory explanation, it is obligatory for the management to permit him to join his duty within 30 days of the expiry of the notice period. However, the Bank is left with discretion to take disciplinary action against him in accordance with law even after he joins his duty.

The provisions contained in the aforesaid clause were not resorted to before the workman reported for duty on 27-7-85. MW-1, the Branch Manager, after having refused the workman to join his duty on that day appears to have made a report to the Regional office whereupon the Regional Manager on the same day passed orders Ext. 4. It is also borne out from MW-1's evidence as well as acknowledgement receipt, Ext. 5 that the copy of Ext. 4 was sent about one month's thereafter to the workman which he received on 23-3-85. Evidence reveals that on being refused of work by the Branch Manager on 27-7-85, the workman complained to the Regional Manager under Ext. F and sought for instruction as to whom he would meet to redress his grievance. But on receipt of the said complaint the authority slept over the matter. He did not intimate him permitting to join his duty nor did he terminate his services. Though MW-2 speaks that the services of the workman had been done away with on 23-9-85 but no document is forthcoming in support thereof.

9. On a conspectus of the whole evidence and circumstances I am of the firm view that the Branch Manager's refusal of employment to the workman on 27-7-85 amounts to termination of his service. Admittedly, the mandatory provisions contained in Section 25-F of the Act which enumerate the conditions precedent to retrench a workman had not been complied with. In this view of the matter, the workman should be reinstated in service with full back wages. It is made clear that the whole period of absence of the workman till 26-7-85 shall be treated as leave and if there is no leave to his credit the same may be treated as leave without pay. From 27-7-85, the day when he came to the Branch to join his duty till reinstatement he shall be paid full back wages and the payment be made within three months from the date of publication of the Award.

1. The reference is thus answered accordingly.

Dictated and corrected by me.

R. K. DASH, Presiding Officer

